

The Indian Community of Colonial Mexico
FIFTEEN ESSAYS ON LAND TENURE, CORPORATE ORGANIZATIONS,
IDEOLOGY AND VILLAGE POLITICS

Arij Ouweneel & Simon Miller (eds.)

**The Indian Community of
Colonial Mexico**

Fifteen Essays on Land Tenure,
Corporate Organizations, Ideology
and Village Politics



A CEDLA Publication

Centrum voor Studie en Documentatie van Latijns Amerika
Centro de Estudios y Documentación Latinoamericanos
Centro de Estudos e Documentação Latino-Americanos
Centre for Latin American Research and Documentation

Keizersgracht 395-397
1016 EK Amsterdam
The Netherlands / Países Bajos

ISBN 90 70280 23 X
© 1990 CEDLA

No part of this publication may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopy, recording, or any information storage and retrieval system, without permission from the copyright owner.

CIP-GEGEVENS KONINKLIJKE BIBLIOTHEEK, DEN HAAG

Indian

The Indian community of colonial Mexico : fifteen essays on land tenure, corporate organizations, ideology and village politics / Simon Miller & Arij Ouweneel (eds.). -

Amsterdam : Centrum voor Studie en Documentatie van Latijns Amerika, CEDLA. - Ill., fig., krt., tab. - (CEDLA Latin America Studies ; 58)

ISBN 90-70280-23-X

SISO am-mexi 942 UDC [323+33](72)(091) NUGI 641

Trefw.: Indianen ; Mexico ; economische geschiedenis / Indianen ; Mexico ; politieke geschiedenis.

 TABLE OF CONTENTS

MAPS, Figure and Tables		vii
FOREWORD		ix
ONE	<i>Atepeme and Pueblos de Indios. Some Comparative Theoretical Perspectives on the Analysis of the Colonial Indian Communities</i> <i>Arij Ouweneel</i>	1
	PART ONE: LAND TENURE	
TWO	Colonial Indian Corporate Landholding: A Glimpse from the Valley of Puebla <i>Ursula Dyckerhoff</i>	40
THREE	A Different Way of Thinking: Contrasting Spanish and Indian Social and Economic Views in Central Mexico (1550-1600) <i>Rik Hoekstra</i>	60
FOUR	A Note on the <i>Composiciones de Tierra</i> in the Jurisdiction of Cholula, Puebla (1591-1757) <i>Ma. Cristina Torales Pacheco</i>	87
FIVE	<i>Pueblos de Indios, Pueblos de Castas: New Settlements and Traditional Corporate Organization in Eighteenth-Century New Spain</i> <i>Bernardo García Martínez</i>	103
SIX	The <i>Fundo Legal</i> or Lands <i>Por Razón de Pueblo</i>: New Evidence from Central New Spain <i>Stephanie Wood</i>	117
SEVEN	Indian Community Land and Municipal Income in Colonial Cuernavaca. An Investigation through Nahuatl Documents <i>Robert Haskett</i>	130
EIGHT	Indian Land Retention in Colonial Metztlán <i>Wayne S. Osborn</i>	142
NINE	The 'Secession' of Villages in the Jurisdiction of Tlapa (Eighteenth Century) <i>Danièle Dehouve</i>	162

**PART TWO:
RELIGION, IDEOLOGY AND POLITICS**

TEN	Images and Prophets: Indian Religion and the Spanish Conquest <i>D. A. Brading</i>	184
ELEVEN	Indian Confraternities, Brotherhoods and <i>Mayor-domías</i> in Central New Spain. A List of Questions for the Historian and the Anthropologist <i>Serge Gruzinski</i>	205
TWELVE	Rural Confraternities in the Local Economies of New Spain. The Bishopric of Oaxaca in the Context of Colonial Mexico <i>Asunción Lavrin</i>	224
THIRTEEN	Community Discourse: A Family Conflict in Eighteenth-Century Coyotepec, Oaxaca <i>Lotte de Jong</i>	250
FOURTEEN	Conflict and Balance in District Politics: Tecali and the <i>Sierra Norte de Puebla</i> in the Eighteenth Century <i>William B. Taylor</i>	270
FIFTEEN	The Raw and the Cooked: Elite and Popular Ideology in Mexico, 1800-1821 <i>Eric Van Young</i>	295

MAPS, FIGURE AND TABLES

Maps

()	The Gobierno of New Spain, 1786	xii
()	Location of the Chapters	xiii
()	Provinces in the Valley of Puebla	59
I	Town Site of San Juan Atzacualoya, Tlalmanalco, Eighteenth Century	122
II	Location of the Colonial <i>Cabecera</i> of Metztlán in Relationship to Spanish Estates and the Mining Region of Pachuca	147
III	The Headtowns of Tlapa in the Seventeenth Century	164
IV	The Formation of New Headtowns in Tlapa between 1720 and 1770	165

Figure

I	Town Site Variations as Reproduced by Charles Gibson	120
---	--	-----

Tables

I	Various Social Status Groups of the Population and the Resettlement Procedure	45
II	Politico-administrative and Ecclesiastical Categories; Relationships with the Spanish World	178
III	Politico-administrative and Ecclesiastical Categories; Costs in Labour and Money	180

Foreword

THIS BOOK is the end product of a symposium we organized as part of the International Conference of Americanists, which took place in 1988 (July 6, 7 and 8) in Amsterdam. The symposium was called *Continuity and Change in Agrarian Mexico, 1640-1940* and divided into three sessions: one on Indian villages, one on haciendas and one on the Revolution. Several well-known historians, sociologists and anthropologists read papers or participated in the discussions.¹ The presentations were well attended, helping thus to spark off stimulating debates. In all, it turned out to be an exciting and rewarding experience, which led us to consider some of the papers for publication. We have planned the publication of two books: this one on Indian villages and another on haciendas, forthcoming.

In recent years historians, geographers and anthropologists have been producing an impressive number of excellent studies on the Indian community in the colonial period. However, the discussions during the sessions in July 1988 convinced us that scholars still lack a genuine understanding of the historical development of the indigenous community. Therefore, in planning the publication, two points seemed clear. First, the papers on Indian villages promised to be a welcome introduction into the field of Mexican ethnohistory, for they combined the results of primary research with a survey of secondary literature. Second, realising that research on this topic is not easily accesible to students -since it usually appears in monographs or articles in different scholarly reviews- it seemed useful to opt for the ambitious project of publishing a volume designed for undergraduates, graduates and professional researchers alike; a collection of essays that would introduce the reader to the field of Indian community studies, as well as develop the field a little further. Such an anthology also seemed an interesting venture in the light of the growing interest in Western Europe in the Latin American Indian community.

1. Papers were read by Berry Bock, Raymond Buve, Chantal Cramaussel, José Cuello, Bernardo García Martínez, Lotte de Jong, Elena Lazos Chavero, Alan Knight, Murdo J. MacLeod, Tomas Martínez, Peter van der Meer, Brigida von Mentz, Simon Miller, Cynthia Radding, Ricardo Rendón, Beatriz Scharrer, Frans Schryer, Clara Elena Suárez Argüello, Cristina Torales, Alejandro Tortolero and Stephanie Wood. See the 1988 Programme, pp. 113-114 for titles; not the *Textos y Documentos 46º Congreso Internacional de Americanistas*, Jan Lechner (comp.) (Amsterdam, 1990), p. 40, which states that only one participant had been present. Adrian Bantjes, Woodrow Borah, Robert Haskett, Rik Hoekstra, John Kicza, Herman W. Konrad, Reinhard Liehr, W. Georg Lovell, Christopher Lutz, and Manuel Plana, among others, participated in the discussions.

Despite some diversity, the essays assembled here are united by a common concern with the nature of the indigenous community of colonial Mexico. It is treasuring to note how the work of scholars operating within seemingly ostensibly separate and sometimes even hostile scholarly disciplines can fruitfully overlap. Nevertheless, as usual in this kind of anthologies, the studies are related by theme rather than by consecutive analysis. Bernardo García Martínez, Lotte de Jong, Cristina Torales Pacheco and Stephanie Wood agreed to submit their ICA-papers for publication. We invited Robert Haskett and Rik Hoekstra, present at the ICA-symposium, and David Brading, Serge Gruzinski and Asunción Lavrin to submit one of their older papers for publication in this volume. Prof. Lavrin wrote an essay especially for the volume. The essays of Danièle Dehouve, Ursula Dyckerhoff, Wayne Osborn, William B. Taylor and Eric Van Young have been published in English or Spanish. Some of these now appear in a somewhat revised version.

Having a common interest is not to suggest that the authors attempted to focus exclusively on one single aspect of their chosen community, region or period. As E. P. Thompson once remarked of such an anthological work, the individual spotlight dance away to reveal, if only partially, other problems lying off-centre on the traditional academic stage and offers glimpses of others waiting even deeper in the shadows of ignorance and unexplored archives. Individual efforts of the authors in this volume have brought some of them into focus, as, for example, the realm of values and attitudes in part two of the book. This is in line with at least two anthologies that have been welcomed recently: *The Middle Period in Latin America. Values and Attitudes in the 17th-19th Centuries*, edited by Mark D. Szuchman (Boulder and London, 1989), and *Sexuality and Marriage in Colonial Latin America*, edited by Asunción Lavrin (Lincoln and London, 1989).

We do feel the need to apologize for one important omission: these fifteen essays do not treat the economy of the Indian community in all its essence. The reader should know, however, that the book is conceived as a companion to *Empresarios, indios y estado. Perfil de la economía mexicana (Siglo XVIII)*, compiled by Arij Ouweneel and Cristina Torales Pacheco and published in this series in 1988 (CEDLA Latin America Studies, 45). That volume contains, for example, some outstanding chapters on the repartimiento-trade.

Finally, the reader will note the vitality of the controversy running through the lines of the chapters. Of course, there is the attack on Fabian orthodoxy, in which the great majority of the Indian population is seen as passive victims of the forces of the European Expansion. There is also the orthodoxy of economic historians and sociologists, which sees Indians as nothing more than a labour force. Nevertheless, the fact that the issue of the CLOSED CORPORATE INDIAN COMMUNITY, addressed implicitly or explicitly by several authors, is still alive and that the differences between the writers are still pronounced, puts the author of a sophisticated introductory essay into a position of con-

straint. Therefore, in discussing the notion of community, Ouweneel attempts to open new avenues of inquiry -writing, no doubt, against the weight of prevailing orthodoxies.

The important conclusion of most recent investigations is confirmed: the Indians were actors in the history of Latin America, not just objects.² The orthodoxies obscure the agency of the Indians, the degree to which they contributed by conscious efforts, to the making of Mexican history. There is, then, nothing definitive about this anthology, because we should see the chapters as part of a continuing process of re-thinking and reevaluating a history that seems fossilized through an excess of assumptions and the neglect of archival possibilities. It is to be hoped that the ideas which the book contains will be developed and modified as a result of exposure to criticism in our graduate and post-graduate seminars over the coming years.

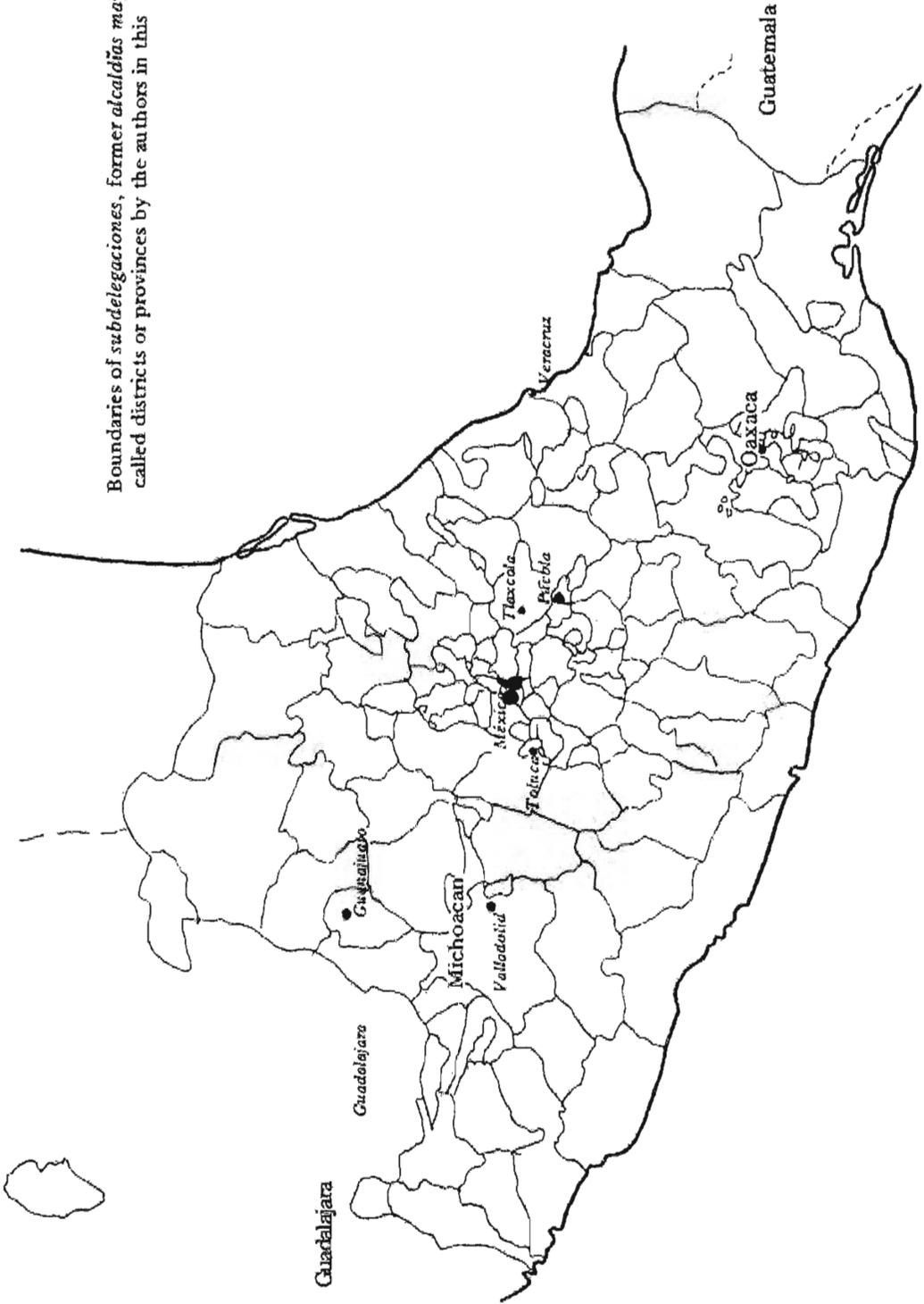
The volume was made possible thanks to the generous assistance of CEDLA, which sponsored the wordprocessing and final publication. We especially wish to express our appreciation to Jefa Jolanda v.d. Boom and Doña Vera Kos for their patience and cooperation in preparing the manuscript.

Amsterdam, May 1990

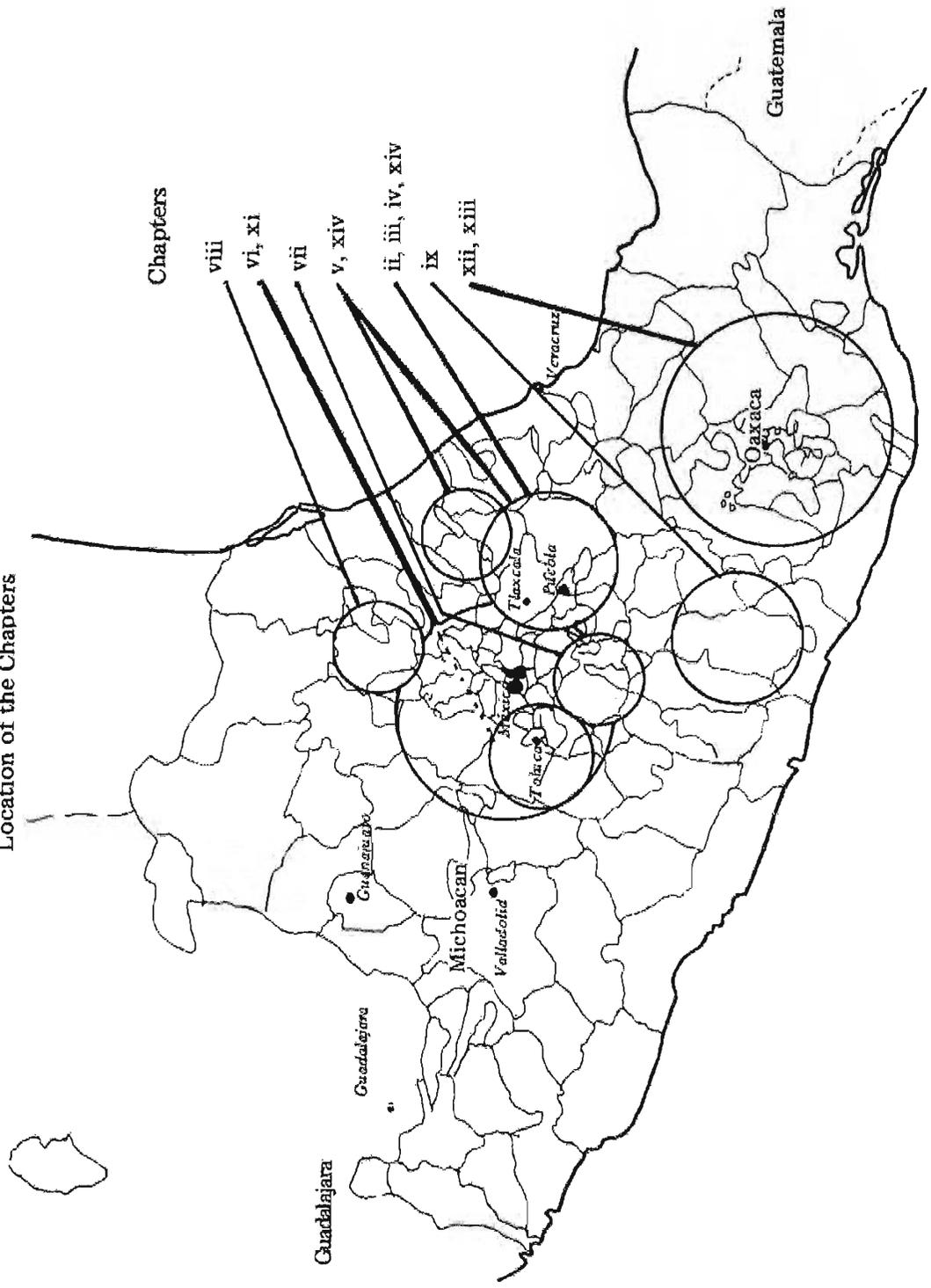
2. See Magnus Mörner, "Indians as Objects and Actors in the History of Latin America," in Magnus Mörner, B. H. Slicher van Bath and H. Hoetink, *Approaches to Latin American History* (Leiden, 1990), 1-10; the abbreviated and revised version of an article published in *Natives and Neighbours in South America. Anthropological Essays*, edited by Harald O. Skar and Frank Salomon (Gothenburg, 1987), 50-85.

The Gobierno of New Spain

Boundaries of *subdelegaciones*, former *alcaldías mayores*, called districts or provinces by the authors in this volume.



Location of the Chapters



Chapters

viii

vi, xi

vii

v, xiv

ii, iii, iv, xiv

ix

xii, xiii

Guadaluajara

Guadaluajara

Michoacan

Veracruz

Guatemala

Oaxaca

Cuapetlan

Valledad

Morelia

Toluca

Tlaxcala

Puebla

Veracruz

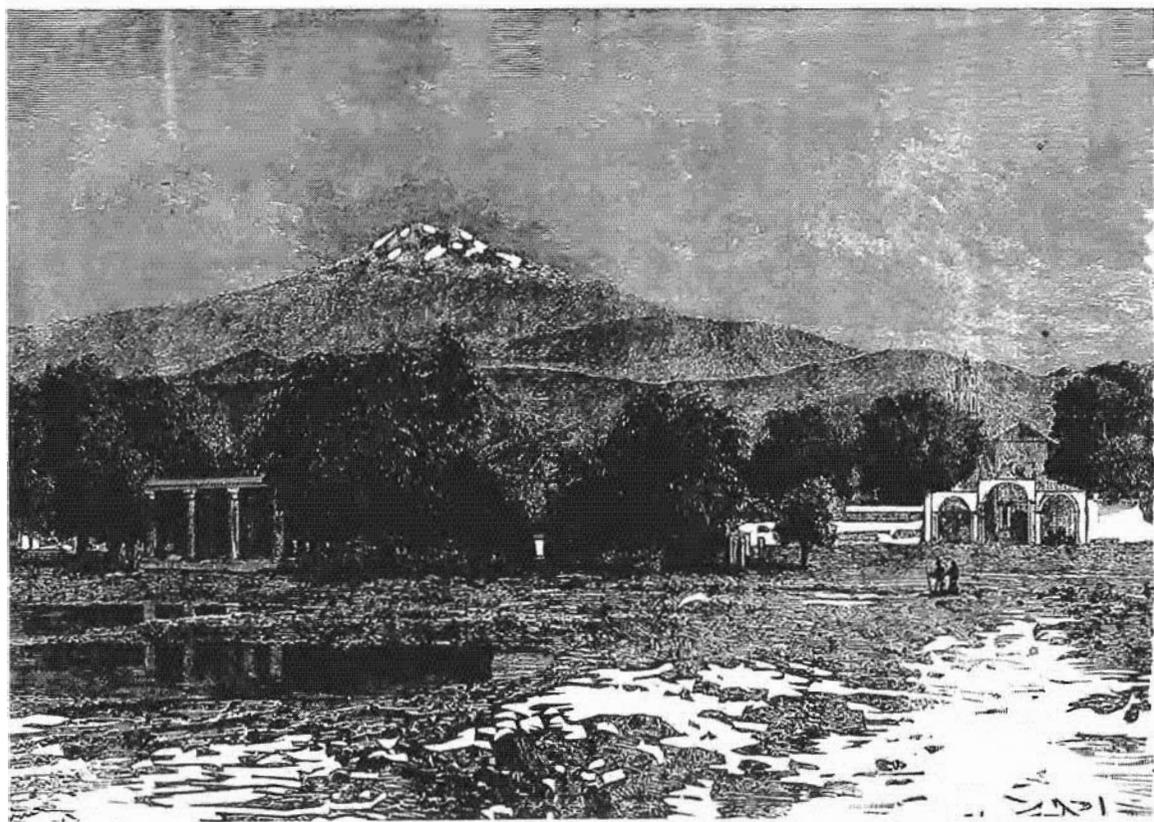
"Mexico is always, disorganized and gone to the devil, the only thing that it retains is the immense beauty of the land and of the Indians."

- Frida Kahlo, 1931 -

"The people here in New Spain, the people of old, said: 'These [rivers] come -they flow- there from Tlalocan; they are the property of, they issue from the goddess named Chalchiuhtli icue.'

And they said that the mountains were only magic places, with earth, with rock on the surface; that they were like *ollas* or like houses; that they were filled with the water which was there. If sometime it were necessary, the mountains would dissolve; the whole world would flood. And hence the people called their settlements *altepetl*."

- Fray Bernardino de Sahagún, -



CHAPTER ONE

Altepeeme and Pueblos de Indios

SOME COMPARATIVE THEORETICAL PERSPECTIVES ON THE ANALYSIS OF THE COLONIAL INDIAN COMMUNITIES

ARIJ OUWENEEL
CEDLA Amsterdam

"I would like to restore to men of the past and especially the poor of the past, the gift of theory. Like the hero of Molière, they have been talking prose all the time. Only whereas the man in Molière did not know it himself, I think they have always known it, but we have not. And I think we ought to."

- Eric Hobsbawm, 1978 -

THE INDIAN PROBLEM

This book is composed of a series of conference papers, lectures and articles dealing with almost three centuries. All of them refer to Indian communities in New Spain, the showpiece of the Spanish empire in the Americas. It is a book of discussion, for no general consensus has been reached on topics like land tenure, village politics or cultural assimilation. We do not even know what the word 'Indian' means. Anthropologists speak about 'native people', but the Mexican historian García Martínez, in his contribution to this volume, identifies the inhabitants of several *pueblos de indios* in the northeastern part of the state of Puebla as being descendants from *West-African immigrants*. William Taylor shows that some Indian villages in the state of Jalisco were founded with black slaves, others permitted *mestizos*, *mulatos* and Spaniards to join their communities, but its residents were routinely called *indios* in official records.¹ The classification of different social groups in New Spain was and remains difficult on account of the decades of racial and cultural mixing which blurred any possible image of a pure native population. Classifying colonial Indians in social and ethnic terms as a unique and distinctive part of the population, García Martínez rightly concludes, can be too simplistic and based more on the traditional usage of the concept rather than on a clear understanding of the society.

Such an opinion can be a shock to social scientists. According to anthropologist Wasserstrom no other social group in recent memory has been subject to such a sustained onslaught of anthropological study.² The Indians have been studied as a specific ethnic group. Also in colloquial language the word Indian is commonly used to specify a certain group in Mexican society. Fearing its disappearance scientists, students, journalists, and travelers take up positions to defend the 'survival of Indian culture'. For many European and North-American scientists the Indian in Latin America is, in some form or another, seen as the heir of natural man, corrupted by European capitalists. *Mesoamérica*, e.g. Mexico and Guatemala, in particular is the lost paradise. Discussing the Maya of Guatemala in historical perspective, the Canadian geographer W. George Lovell views conquest not as a remote, historical experience but as a visible, present condition.³

This cultural region is considered as the product of two societies: White and Indian, the Conquerors and the Conquered. Ethnicity and the corporate community, in which the Indians are said to have lived, have structural rather than cultural roots. We find a summary of this kind of research in Eric Wolf's *Europe and the People Without History*:⁴

"Racial designations, such as 'Indian' or 'Negro', are the outcome of the subjugation of populations in the course of European mercantile expansion. The term Indian stands for the conquered populations of the New World, in disregard of any cultural or physical differences among native Americans. (...) Indians are conquered people who could be forced to labor or to pay tribute."

Most ethnologists, anthropologists, and several historians consider the 'Indian problem' in its essence as a problem of the economic structure of the capitalist system. The position of the Indian community in the colonial political economy is then considered to be quite peripheral. Sketching post-conquest developments Wolf describes this position as follows:⁵

"Towns and mines came to be ringed about by haciendas; the haciendas were in turn surrounded by settlements of the surviving native populations. This settlement pattern was oriented toward the mines; yet it was not merely geographic or ecological. It was organized by the political economy it embodied, in which each lower level yielded surplus to the level above it. (...) Within this hierarchy, the emerging Indian communities came to occupy the lowest rung."

However, as is indicated above, this image is losing its footing. In the last thirty years historians have gradually moved away from the *Leyenda Negra* or Black Legend, as the tradition of anti-Hispanic criticism was called -developing in the sixteenth century and continuing to flourish until the first half of the twentieth century. Historical criticism and a growing amount of empirical research has slowly undermined its fundamentals.⁶ All authors in this compilation contribute to this revisionist tradition. Historians now view the indigenous peo-

ples as actors who responded to events in ways that helped to determine large parts of their social and cultural reality. Even the concept of community itself, with its institutions and territory, and usually regarded as the typical form of social organization of the indigenous population in the Capitalist World Economy has been questioned and its existence challenged. Danièle Dehouve for example asserts that in studying the past one does not find such communities, but rather a whole variety of distinct units, bearing various names.

For historians, and anthropologists like Wasserstrom and Schryer,⁷ the answer to one simple question becomes increasingly important: what was an Indian in the colonial period? Looking at pre-Hispanic America the answer seems quite obvious: we consider everyone living at that time in America as Indian. In fact, we assume we are indeed dealing with a specific ethnic group, that came from Asia via the Bering land bridge. However, it is curious to realize that amongst those who came from Asia there may have been negroid peoples as well. Although there has been much speculation on flights of fancy involving African seafarers, negroid peoples of many kinds are to be found in Asia as well as Africa. As pointed out by archaeologist Nigel Davies, small men with negroid features were the aboriginal inhabitants of many lands facing the Indian Ocean, including India, the Malay Peninsula and the Philippines (today they are still to be found along the east side of Luzon). Also the Negroid features in Olmec art are well known. The word 'Indian' is of course a misnomer, not only because it originated in a geographical misconception on the part of the Europeans -who imagined themselves near the East Indies- but also because it did not correspond to any unity perceived by the indigenous peoples themselves. The answer to our question, then, should be qualified according to differences of region and historical period. Even the pre-Hispanic Indians numbered about a dozen main groups and hundreds of subgroups. Furthermore, pre-Hispanic Mexico was composed of a variety of peoples, languages, ecologies, economies, and social-political systems.⁸

However, after 1521, despite all the cultural differences and the existence of hundreds of languages, the descendants of all these Indians became one group: *indios*, members of the so-called *República de Indios*, to be distinguished from the *República de Españoles*. The character of this group was mainly juridical: the *indios* were the inhabitants of a specific juridical and administrative entity, called the *pueblo de indios*. It seems that one knew exactly who was Indian and who was not. The colonial communities, called corporations by Bernardo García Martínez, Stephanie Wood and Ursula Dyckerhoff, enjoyed legal protection, a privilege demanded and determined by the villagers themselves. The archives in Mexico City and Seville, the main colonial archives for the history of New Spain, are littered with petitions and court cases considering land tenure, labour rights and social and political conflicts. This number is so unexpectedly high

that a North-American historian has remarked that "*legal tactics mushroomed into a major strategy of Indian life.*"⁹ The aim of modern historical research has been to revise the version of Conquest by restoring the importance of the strength and selfsufficiency that the Indians of Mexico, which is to say the peasants in the communities, have revealed during the history of their country.

In sum, within the colonial *pueblo de indios* lived peasants independent of one another, together resisting Spanish pressures. As Charles Gibson concluded in his excellent overview of Indian life under Spanish rule, the village survivors supported one another in resisting change.¹⁰ Such conclusions can have far reaching consequences for the theoretical interpretation of peasant societies. Before discussing these consequences, which is the same as answering the question of how to interpret the Indian community in New Spain, I would like to proceed by sketching in general terms the history of the Indian community, or corporation, as it seems to emerge from the essays in this volume. Some points to stress are the closed or open character of these communities and their corporatism, in the sense of a united body. However, this sketch is my personal interpretation; I do not pretend to have integrated all the opinions brought forward by the authors. Since it is not sufficient to simply provide empirical evidence that contradicts certain theories or models, I will try to use the evidence presented by the authors to present an alternative model of community, which can be applied in interpreting the history of the *pueblos de indios* of New Spain.

TRACES OF THE SURVIVAL OF THE ALTEPETL

Corporate Land Tenure

The first part of this volume discusses questions of land tenure in Indian villages (Chapters 2 through 9). And, indeed, it seems one of the most important points to discuss. Mexican anthropologist Paul Kirchhoff assumed it to be "*the very core*" of the interpretation of the socioeconomic structure of Mexican society around 1500. This opinion echoes the famous statement by Rousseau: "*The first man who fenced in an area and said, 'This is mine' and who found people simple enough to believe him, was the real founder of civil society.*" Of course, there were several ways in which people might be bound to each other, and any individual was likely to experience more than one. His awareness of membership of a group would depend on its function and on the nature of his need for fellows and like most people, he would identify with different groups for different purposes.¹¹ But the ownership of communal land was the common interest of several peasant households living in a village. The object of the description below is to sketch only some of the salient features of Indian communal land tenure in the colonial period.

Such a description has to start in the period preceding the coming of the Spaniards. The Spanish *pueblo de indios* did not exist from scratch. But, although there can be hardly any doubt about the existence of communal landholding in the seventeenth and eighteenth centuries, historians, ethnologists and anthropologists are increasingly uncertain as to its existence or importance in the sixteenth century. The sources most often used agree upon several categories of land, like lands assigned to the support of temples, office holders, the army, or the rulers (in this case patrimonial lands). Most of them existed well into the seventeenth century, and the designation in Nahuatl, the indigenous *lingua franca*, can be found until the end of the eighteenth century. There is no need to go into the details of these classifications now, because they are extensively discussed by Ursula Dyckerhoff, Rik Hoekstra, and Robert Haskett in their contributions to this volume. At the most general level can be said that lands within the boundaries of a community pertained to either public or private domains.¹²

All authors seem to agree on the basic entity of that time: the *altepetl*, or lordship (and not a chiefdom or tribal organization). The word *altepetl* was a territorial metaphor for 'water and mountain'. Interesting here, because of a change later on -as will be indicated below- is to refer to the Totonaco equivalent *chuchutsipi* (from *chuchut*, water, and *sipi*, mountain). This lordship consisted of several households, their leaders, and a group of hierarchical stratified nobles. The highest rank of these nobles were called *tlahtoque* (*tlahtoani* in the single), the lords. These nobles rotated in and out of the position of the paramount ruler, which would have been a slow rotation for a *tlahtoani* used to rule for a life time. The ruler was assisted or watched over by a council of the leading nobles from the other dynasties in the *altepetl*. Lower levels of government were staffed by a heavily stratified network of lesser rulers, lords or nobles drawn from each household group. For the similarity with, for instance, a caliphate García Martínez introduced the word *tlahtoanate*.¹³

The *altepetl* is often seen as a kind of city-state. However, there is little evidence that the *altepetl* was located around a specific center, and the area belonging to it was somewhat undefined. One important deficiency in the general descriptions of land tenure in the sixteenth century, Harvey writes, is that there is rare mention of the locality or region to which a description applied. No wonder, García Martínez responds in his book on the *Sierra Norte de Puebla*, because the issue of landownership by the lords was of considerably *less* importance than the several kinds of tribute payments and labour services they received from their subordinates. It seems that the center of the *altepetl* changed with the elections of the *tlahtoque*. The center was where the *tlahtoani* had his court, and if some *altepetl* had several families of *tlahtoque* the power could change within the *altepetl* from one place to another. Hoekstra finds an analogy in the Carolingian empire, and, indeed, reading Davies' study on the village community

in early medieval Brittany one finds striking similarities between the *altepeme* and the *plou* (or *plebs*, in Latin), and the *tlahtoani* and the *machtiern*.¹⁴ Nevertheless, the *altepeme* lived in a certain area and cultivated the land.

Belonging to the *altepetl* were the *calpullis*. There is considerable controversy over the exact meaning of *calpulli*. Some authors believe the word referred to a certain local shrine, others maintain that the traditional translation of *barrio* or district must be the proper one. Lockhart states the *calpulli* was a community, *barrio*, in its own right and with its own territorial dimensions.¹⁵ Dyckerhoff and Haskett confirm this by concluding that the *calpulli* was the basic holder of land. Disputing this, Hoekstra and García Martínez -in his book on the *Sierra Norte*- argue that the *calpulli* may once have been a clan-like group within the *altepetl*, each with its own nobles, but in the period of the conquest it was a mere instrument for the collection of tributes, a kind of district including a specific number of household heads (who later became the *tributarios*). So collective landownership was not the unifying element; the households forming part of a *calpulli* only had usufruct rights to land which belonged to the nobles. Hoekstra and García Martínez seem to have the better of the argument, but for the moment one should wait for more evidence.

The Spanish officials arrived in Mexico with views on an administrative system according to the *Territorialverband*, a system that bounded people by territorial units, and not by personal units like in a *Personenverband* (compare the *altepetl*).¹⁶ They confronted the *encomenderos* -the conquerors and their heirs- who held *encomiendas*, entities that were identical to one *altepetl* or several *altepeme*. As such the *encomenderos* were the lords of the lords, living from their tribute and labour assignments. During the first decades after conquest, these *encomenderos* ruled and profited primarily by turning the pre-Hispanic system to their own benefit. The native lords continued to collect tributes in goods and periodic labor services from their subordinates, and passed most of the proceeds on to their new Spanish superiors. The officials of the Crown feared colonial rule through *encomiendas*, because it reminded them too much to the feudal structures they were trying to abolish in Europe (remember the Dutch Revolution in the sixteenth century!). A centralizing state cannot tolerate too much independent power in their subordinates. The Crown succeeded in abolishing most *encomiendas* in the late sixteenth century, because the demographic catastrophe following the epidemics -the true tragedy of the contact between people from once isolated continents- had undermined the pre-Hispanic system: a lord without subjects cannot collect tributes and live from them.¹⁷

During the period of growing power in the hands of the centralizing government the structures were changing rapidly. The *altepetl* became the *pueblo* -a word hardly used in Spanish until then- and their *tlahto* became the *caciques* (*señores* sounded too feudal).¹⁸ One innovation was the office of *gobernador* or chief administrative officer,

which had been created to accommodate the indigenous ruling system. Elections would be held to stimulate a more rapidly rotating system than in the pre-Hispanic period and to avoid the foundation of powerful families, but the *caciques*, used to rule for a lifetime, tended to monopolize this office. Another innovation was the territorial limit of the *pueblos*. The Spaniards were 'enclosing' the lordships to certain and specific lands, the *altepetl* was founded as *pueblo* in one place, the church was built there and became the center of the parish, the town government had to reside there and the hamlets became *sujetos*, subordinated villages or satellite settlements of the central village or municipal headtown, the *cabecera*. From that moment on the *calpulli* formed part of a village as a *barrio*.

Critical was the period of the Great Death when the old villages ceased to exist. The Great Death started directly after Conquest, mainly because of the introduction of germs of unknown diseases like smallpox, measles, or influenza. After half a century the population had fallen at a vertiginous rate, in some regions by more than 80 per cent. It was a period of despair, of suicides and profane drunkenness,¹⁹ in which the paternalistic policy of regrouping the survivors caught on well in the Indian world. Especially around 1600 several *pueblos* were congregated into one village. The programme of *congregaciones*, also described by Dyckerhoff and García Martínez, is being evaluated now by historians and ethnologists and a first glimpse seems to indicate enormous regional differences, but with a generally successful Spanish policy to create, with the help of the Indians themselves, new villages out of the remnants of depopulated *altepeme*.²⁰

The proclaimed goal of that resettlement programme was to build a system with more effective justice under Spanish officials and supervision, and more effective christianization under the Catholic clergy, first the regular and later the secular. Following in the wake of depopulation and the reduction of scattered village lands to compact holdings, the authorities brought the vacation of large, contiguous areas into existence, which could then be granted or sold to Spanish farmers. Torales shows that this actually happened. The Great Death in the late sixteenth and early seventeenth century made a Spanish provision of the growing cities inevitable.²¹ The *chuchutsipi* in the Totonaco area of Puebla was now called by the villagers themselves a *calchikin*, or 'place where the houses stand'.²² The *Personenverband* gave way to the *Territorialverband*, but, nevertheless, -as Hoekstra shows- with a wave of litigation as a result, because the lords did not give in without resistance and tried to make the lands now claimed by their subordinates legally their own.

The peasants tried to secure their village land according to Spanish rules. In this quest -remember how the archives are stuffed with petitions and court cases- they eased themselves away from their lords (*caciques*) and came to own lands more or less independently of their lords. If we follow Dyckerhoff and Hoekstra the main turning point must have been the period of the reforms of the 1560s, when every

non-noble Indian received usufruct right to village land after paying tribute to the Crown. Even formerly landless commoners like the *ma-yeques* were entitled to this; Dyckerhoff mentions a plot of 0.92 ha per peasant in Huejotzingo. Menegus, describing this process, gives the impression of a kind of *land reform policy* by the Spanish Crown. The consequence of the reforms, Hoekstra argues, were disastrous. The reforms left most of the *caciques* -if we may believe Spanish lawyer Alonso de Zorita- without income: "*quedan los pobres señores más pobres que los pobres.*"²³ ["(...) *leaving the impoverished lords poorer than the poor.*"] Many nobles did indeed lose their rights to tribute and became impoverished as a result. Hoekstra supposes that a sense of status must have inhibited many of them from being realistic and taking up the digging stick.

For the small peasants it became important to have their names on a tribute-list. Every *tributario* was entitled to a village plot, or, as it was expressed at that time, a share in the *común repartimiento* (the distribution of land among the community members). On this plot they were supposed to build their hut and to cultivate maize, beans and other basic foodstuff. The Spanish officials were interested in the exact number of *tributarios* for reasons of tribute collection and paternalism. Everybody on such a list was an Indian, and they secured the special protection of the King. If a person moved out of his *pueblo* without moving into another *pueblo*, or *hacienda*, he lost his *Indianess*. From then on he was considered to be a *mestizo*, a *mulato*, or, in the cities, a *lépero*. Like every agrarian society, colonial Mexico was literally a mobile society; it is not mere speculation that about half of the inhabitants of any village or city was born outside its boundaries.²⁴ No wonder the socio-cultural macrostructures, on which the *altepetl* once had been founded, disintegrated.

The acquisition of property rights by the *pueblos* was completed around 1700, when a series of *composiciones* recorded all land tenure in Indian Mexico. The term *composición* stood for the process of legalization of land possession, sometimes unlawful, through payment of a fee. The law called for anyone who held land without proper title to make a donation to the royal treasury to obtain a clear deed. It was not very successful, so in the seventeenth century the Crown really began to force individuals and corporations (including the church) to verify their holdings and, finally, regional programmes were proclaimed and executed, the so-called *composiciones generales*. The resulting document of confirmation was also called a *composición*. However, despite all efforts it appeared that the *pueblos de indios* rarely applied for these programmes, mainly because of exemption. They were considered to be too poor to pay for land titles, although -as we shall see- barely a generation later, in the eighteenth century, these communities in fact could spend hundreds of *pesos* in claiming land tenure rights. Torales shows in her essay that the Indians started to participate in the programmes during the 1710s and 1720s.

The late participation of the Indians to pay for *composiciones* was only partly, I think, a consequence of Spanish imperial policy to finance its fleet. Another reason might be found in the growing awareness of the Indian leaders, discussed by Haskett, Wood, García Martínez and Osborn in this volume, that it was essential to acquire official legal titles. Wood shows in her dissertation that the Indians did not hesitate to step forward and obtain as many confirmations as might be necessary to protect or enlarge their corporate holdings. The late seventeenth century saw impressive demographic recovery. The time of despair, suicide and profane drunkenness was not only over but long forgotten. Around 1700 the number of inhabitants in the villages started to apply pressure on available land and all land possessions of the community needed to be secured. Using the occasion by reacting positively to the measures of the Crown, around 1720 all villages, like the *haciendas*, had *composiciones* at their disposal. The documents served as the material evidence of landownership, necessary to win litigation in land tenure.²⁶ Osborn shows in his classical essay, reprinted in this volume, how useful these indeed were. The Indians had completed their transformation towards the system of *Territorialverband*.

But possessing *composiciones* was not enough. It is interesting to note, that villagers always requested to 'compose' lands which they called *demasías*, or surplus. It consisted of land owned by the village besides 2½ *caballerías* of land (101 hectares) around the church. These 2½ *caballerías* formed the equivalent of what came to be known as the *fundo legal* of the village, the official legal base or townsite to which the villagers were entitled. After securing the *demasías* by the *composiciones* the villagers turned to securing their townsite or *fundo legal* itself. The eighteenth century is the epoch of *fundo legal* with hundreds of villagers acquiring their corporate titles this way. Haskett shows that also all kinds of falsifications -the *títulos primordiales*- were produced to prove ownership of land. Although there exists extremely little research on this development, we are left with the impression that after the disintegration of the *altepetl* the villagers tried to obtain official titles to the land they had been using in usufruct from their lords. Excluding the lords, who were of limited value in a system of *Territorialverband*, they were trying to lay hold on 'their' lands.

Claiming the 2½ *caballerías* was obviously no problem: first the *demasías* had to be legally entitled to the village, and after this, the *fundo legal*. During the eighteenth century the *sujetos*, or subordinated villages, also started to obtain these titles (see the excellent essay of Dehouve). They separated from the central village -the *cabecera*- which had "dominated" them, to use their expression, "from time immemorial." At the same time new villages, *pueblos de indios*, were founded by *émigrés*, *hacienda*-fieldhands and immigrants (see García Martínez' West-Africans or Taylor's blacks!). They mostly used village names and sites that were abandoned during the process of *congrega-*

ciones in the early seventeenth century. Founding a legal *pueblo de indios* had become the most important way of securing the subsistence needs by poor peasants, and if we follow the arguments of García Martínez and Taylor, it did not matter at all if these peasants had Indian, *mestizo* or even black backgrounds.

This development provided new prospects for the Indian elite, the *caciques*. The late eighteenth century saw the return of the Indian lords as political leaders. Their influence had never completely vanished, but in an epoch of demographic growth like the eighteenth century the community needed more lands to cultivate, or earn extra income by working on *haciendas*, or securing the capital of the confraternities. This was administered by the *caciques*: the *pueblos de indios* were sharply differentiated between the few who controlled the allocation of communal resources and the majority who depended on their decisions. The offices of corporate government, especially the post of *gobernador de indios*, were monopolized by a small, self-perpetuating group of the powerful in the villages. Although they were legally Indian, otherwise they were not qualified for office, they were culturally and socially denominated as *mestizos*. Linked by kinship within their community, they also cemented ties with *caciques* of neighbouring villages. By the late eighteenth century they were the most powerful political force within the *República de Indios* and controlled the distribution of corporate economic resources.

A decade ago Tutino published some examples of this economic power, concerning the *pueblos de indios* of Acolman (in the province of Teotihuacán) and Otumba (center of the province with the same name), northeast of Mexico City.²⁶ According to the rule, the *caciques* of Acolman and Otumba rotated in community office, but they always elected one member of their small group. At Otumba in 1775 45 men selected the *gobernadores* and their lieutenants of a community of 2260 Indians. The *caciques* had come to hold an exceptionally large amount of land within the community, whether through allocation, purchase or inheritance. Each *cacique* family in Acolman held numerous plots, their households averaging from 4 to 10 apiece. They treated their holdings as private property and annually harvested from 40 to 80 *fanegas* of maize, whereas the family subsistence minimum barely exceeded 10 *fanegas* (460 kilogram). In Otumba the two powerful clans which shared control of the principal offices repeatedly were accused of electoral fraud, theft of community funds, and extreme favoritism in land allocation among their clientèle. After a while, late in the 1780s, a rival group challenged the *caciques* of Otumba and following several years of dispute, triumphed. The new *caciques* entrenched themselves in office, used their right of *común repartimiento* to strip the old leadership of their many properties and redistribute the plots to forge a new support coalition.

The unequal distribution of lands among the Indians which characterized both Acolman and Otumba, was made possible because the *gobernador de indios* held responsibility over the distribution or co-

mún repartimiento of village owned plots among all *tributarios*. Of course this unequal distribution and political strife damaged family subsistence agriculture. Combined with the growth of the Indian population it left the majority of the inhabitants in these villages unable to meet their subsistence needs with the plots they had. A sizeable minority held nothing more than their house lots, attached to by the *común repartimiento*. Half the community members had additional agricultural plots, but insufficient to produce subsistence for their families. Another tiny minority enjoyed adequate subsistence holdings and the few *caciques* controlled extensive lands. This situation was not unique for New Spain, for in fourteenth-century Castile the villagers experienced a similar one.²⁷

To keep up legitimation in the villages and open up new resources to provide the basic needs of the great majority of the inhabitants, the *caciques* tried to defend or extend communal landholding. In my own research I found, that in all cases where the legal endowment of the *fundo legal* was obtained, the expansion of the communal property etc. was initiated by these *caciques*.²⁸ Robert Haskett, in his essay, notes the writing of the *títulos primordiales* by the *caciques* in seeking the legality and antiquity of corporate landownership. Believing that they were preserving authentic local histories, the authors of these documents were copying and probably embellishing earlier written and oral traditions. Evidence suggest that the primordial titles were composed from the late seventeenth century onwards, recognizing the communities' status as *altepeme*. One finds the standard criteria of *pueblo* status: the *altepetl* as a unit with a ruling dynasty, a system of government, one or more religious structures, and indicating the place where its members were living. The *caciques* were trying to defend and expand their land rights in colonial terms, but introducing now traditions which predated the Spanish arrival.

If the leaders failed in their prospect, people would leave the villages or proceed *against* their *caciques*. It is clear that the communal interests were synonymous with the interests of the Indian elite. These magistrates spoke perfect Spanish and knew how to operate in the Spanish Courts. The "*legal tactics*" that "*mushroomed into a major strategy of Indian life*" was invented or reinvented by the village elite to keep up their profitable position. But here interests coincide, for the poorer Indians needed their *gobernadores* to acquire extra land. Exploitation was accepted in exchange for subsistence plots and only rarely I have found unlimited exploitation that continued for years. The cases mentioned by Taylor in his contribution of this volume are an example of this. It brings us to the ideological aspect of Indian history.

Ideology

The old *altepetl* was more than an organization of corporate landholding. It required the possession of deities and religious structures de-

icated to them, a government palace, a market, and the use of land. The members of the *altepetl* were united to perform religious and moral duties under the leadership of the lords.²⁹ The single, most fundamental ideological principle covered by the *altepetl* was the belief in a human-supernatural covenant: individuals and the collectivity, and the supernatural powers that watched over them (the pantheon of gods) were bound by a *quid pro quo*, in which a large number of ritual, ceremonial, and material functions and activities were undertaken by the individuals and the collectivity in honor of the supernatural powers. But it was understood that this happened in exchange for their making the world of human existence safe and pleasant for personal and communal interaction; here the use of the word *tlahtoanate* would be accurate. Nevertheless, the main question is whether or not the *pueblos de indios* and its *caciques* performed the same task in the Spanish period. During three centuries of Spanish rule each *altepetl* disintegrated into numerous *pueblos de indios*, which all had churches, priests and sodalities. What was their role?

The unifying element of the essays in the second part of this volume is the Catholic character of morality in Indian life. What is shown is a very strong transformation from pre-Hispanic supernatural perceptions to colonywide Catholicism. Far from being an anachronistic vestige among a small elite, the Catholic faith rooted and continues to thrive as a vital current in remote mountain villages. In the opening lines of his parish history of Guatemala, Adriaan van Oss writes:³⁰

"If we had to choose a single, irreducible idea underlying Spanish colonialism in the New World, it would undoubtedly be the propagation of the Catholic Faith."

In fact, Spain was unique in insisting upon converting the indigenous population it had conquered to its state religion. And it succeeded -Catholicism even outlived the empire itself.

Van Oss argued that the Spanish empire would have been a mirage or illusion in the countryside had it not been for a tangible Spanish influence which we still feel today. Colonialism did not rest on military strength, since an organized army practically did not exist until the late eighteenth century. There were no fortifications in the interior, and unlike European medieval towns the cities in New Spain had no walls. The civil bureaucracy was somewhat better developed, but outside the capital one single local official often held 20 to 40 villages under his supervision. The vast majority of New Spain's population participated neither in the mining nor in the plantation economy. The plantations restricted themselves to the thinly populated coastal regions, while the important mining activities took place in a few barren highland enclaves, also removed from major population centers. The seaports were few in number, poverty-stricken as a rule, and often practically uninhabited, since annual shipping between Spain and her American colonies during the late sixteenth century in general totalled perhaps 60 to 65 vessels in each direction, including warships,

and between 20 and 40 in the seventeenth century. But the street of the most isolated villages crossed one another at right angles, according to a chessboard pattern. In the middle of every village one could find a great open square with a church on the eastern side. Every place bore the name of a Christian saint and on that saint's name day the whole village turned out to celebrate. Among other festivities, dance-dramas were performed which took themes familiar with those of the European middle ages, such as that of the conversion of Saint Paul. Holy Week was observed in such a way that many South-European villages would pale by comparison. As early as the late sixteenth century New Spain had been transformed in the Catholic image.³¹

This success is peculiar if we realize that Christianity in the New World was derived from armed conquest. The native religion was suppressed by the use of force and terror. But once the repression of the early colonial period no longer bore down on the society, the repressed urges and drives of the original culture were released. In his contribution David Brading gives an overview of the process of conversion. He underlines the subtle manner in which various elements of Christianity, such as miracles or the cult of the saints, established linkages with the old perceptions of the Indian world. He agrees with Serge Gruzinski that local and regional devotions are examples of a *sui generis* assimilation of Christianity. But it was a late medieval hispanic Catholicism that impinged on the minds and hearts of the Indians. Notwithstanding the survival of pre-Hispanic religious practices and cosmological assumptions, during the colonial period a religious cult slowly emerged which Brading defines as native Indian Catholicism, but a cult which bore at the same time remarkable similarity to the devotions and practices of popular religion in Europe.

Spanish missionary work in rural New Spain was executed by the regular branch of the church, composed of various independent orders. The evangelical authority was derived from the *Patronato Real*, by which the Pope had delegated in 1508 radical privileges to the king of Spain. The king became the spiritual guardian as well as the political master of the new pagan subjects. He elected the mendicant orders of Franciscans, Dominicans and Augustinians -and not the secular clergy- as his agents in America. Again, as in the case of sixteenth-century land tenure, the situation in early New Spain resembled the Carolingian system. By carrying Christianity to America Spain played the role to its overseas possessions that medieval emperors in the Carolingian tradition had played to Europe: to extend the ideal of a Christian Empire espoused by a line of earlier kings like Charlemagne, Otto III, and Henry III. And the conversion should be done quickly to achieve this goal. The number of Indians baptized, often *en masse*, during the early years was astronomical: the Franciscan Motolinía ventured that by about 1536, 25 years after the fall of the old Aztec capital Tenochtitlán, 5 or 9 million Indians had been baptized.³²

The first of the regular orders to arrive was that of Saint Francis. From 1523 onwards Franciscans were spreading rapidly over the densely populated central highlands. Three years later they were followed by the first Dominicans, and in 1533 by the Augustinians. The friars did not isolate themselves behind cloister walls but went into an area in very small groups to preach. After a while a temporary church was built, followed by temporary housing for the friars. Only later could more permanent church and monastery buildings be constructed. Each order had its own province, which would only partly overlap the provinces of the others. The first three orders expanded in different directions, as if to avoid contact with one another, while maintaining a basis in the heavily populated central region around the capital. The Franciscans established themselves in and around Mexico City, in the eastern part of the central highlands, and had set out to the west. The Dominicans chose to go southeast, in the direction of Oaxaca. The Augustinians fitted themselves in between the establishments of the other two orders, as well as to the north from the Central Valley. The Jesuits (1572), the Carmelites (1585) and the Mercedarians (1594) came too late to establish themselves in rural areas.

The spiritual conquest really looked like a conquest. The early period of extension covered great distances, leaving a few widely scattered outposts. After it an increasing number of new establishments within the existing framework were founded. So, the first friars passed along many future sites at which religious colonization would eventually take place, splashing around liters of baptismal water, but rejected these sites as a first choice in favor of sites further removed from the center. When the decade of the 1550s came to an end, the mendicants had reached the end of their road, until then avoiding severe conflicts with each other. But the orders did not enjoy good relations with one another, indeed, they often seem to have been one another's worst enemies. There were many incidents of disputes over towns, rights, practices, of accusations back and forth, and even of physical violence. Friars started to remove the baptismal font from neighboring churches, stripped off the bells, ornaments and locks, destroyed orange trees. Tensions ran very high in the decades of the 1560s and 1570s. Sometimes expeditions were even armed by friars to sack and burn down competing churches. Van Oss concluded that the colony had become too small to please everyone. At this moment the secular church began to spread out from the main cities to take the places of the mendicants in the course of the seventeenth and early eighteenth century.³³

The strong evangelical tendencies of the Franciscan and Dominican reforms during the later middle ages embodied a pronounced apocalyptic strain. Medieval monks saw exile among the pagans as a path which would lead them to union with God. The final age of spiritual men had been prophesied by several visionaries during the medieval period, like the twelfth-century writer Joachim of Fiore whose prin-

ted work would circulate widely among the mendicants in America. The Franciscan order in particular cultivated the evangelical ideal in the true Joachite heritage. Their Saint Bonaventura (1221-1274) brought the fusion of Joachimism and the Franciscan ideology of preaching among the poor to its highest expression. Thereby the order's divinely inspired task to renew evangelical life in the final age of the world was strongly stressed. New Spain received the most fundamentalists among them, because the famous *Twelve Apostles* who initiated the conversion were already persecuted for their radicalism in Europe.³⁴ The mendicants clearly envisaged themselves as Christian warriors engaged in cosmic battle against the principalities and powers of hell. Brading shows how the Spiritual Conquest, as the conversion was often termed, entailed victory over Satan with the souls of the Indians as the battleground and prize.

Behind mendicant fundamentalism lies an ideological principle, pioneered in the Western Roman Empire by Augustine of Hippo and still a strong topical subject in the seventeenth century, which stated that the incarnation of Christ had inaugurated the Sixth Age. The Sixth Age was to come to an end with Antichrist and a period of tribulation. As Sabine MacCormack shows, this vision of history was graphically depicted in the German World Chronicle of 1493, which circulated widely in the Spanish empire of Charles V. The message was a moral one, exhorting the beholder to conduct a life in such a way as to be found on the Longest Day among the saved rather than the damned. Many looked forward to this final age of spiritual men—especially the Franciscan and Dominican missionaries, who saw themselves as God's chosen instrument in the work of evangelization and the building of the New Jerusalem in the Americas. Preaching to the Indians brought their millennial hopes of an American Apocalypse closer to hand.³⁵

In their parishes the mendicants found nothing but confirmation of their Apocalyptic visions. They were impressed by the similarity of the Indian's lack of land ownership (explained in this volume by the concept of *Personenverband*) and of acquisitive spirit with the dictates of evangelical poverty urged on them by their founders. To cite another example, and indeed the most important one: the cult of the dead and the festivities of All Saints Day and All Souls Day, *Todos Santos*, on November 1 and 2. On these days the inhabitants of the villages united in a cosmological center of existence. Relationships between individuals and families were renewed by remembering their roots and paying homage to those who were not longer among the living. For a transient moment, the living and the dead even joined in the same world of existence and partook of a meal together. The Roman Missal gives Revelation (7:1-17) as the lesson for the *Todos Santos* celebration. The passage describes John's vision of a great multitude of nations, tribes, peoples and tongues standing before the Lamb. The vision evidently anticipates the eternal blessedness at the end of time and the great messianic banquet that will celebrate

Christ's marriage with the church on the eve of the final victory over evil. In sum, this meal of the living and the dead seemed to be the fulfillment of the Last Supper during the Longest Day, with Christ as pastor, the very essence of the Apocalyptic visionary.³⁶ The days of the New Jerusalem seemed indeed bound to come!

The most important study of the cult of the dead is Nutini's monograph on *Todos Santos* in Tlaxcala, marred, though, by inattention to historical bibliography and some support of the Black Legend point of view. Nutini argues that the syncretic integration of pre-Hispanic religious thought and symbols into Indian Catholicism was in general completed by 1650. After an initial phase of indifference, prompted by the vigour with which the friars smashed their idols the Indians came to hear the news of the Christian God. There was a guided syncretism, based on (1) a high degree of similarity among the religious elements and institutions in the interaction between Catholicism and pre-Hispanic religion, (2) the demand of the mendicants that the Indians convert to their religion in combination with their ability to guide and manipulate the interacting elements and institutions, and (3) the gradual conversion of the Indians, resulting in a synthesis in which the religious polity was no longer aware of the provenance of the various component elements. But, in the case of the cult of the dead a spontaneous syncretism occurred soon after conquest, unnoted at first by the mendicants. The first friars were so much preoccupied with abolishing the main tenets of pre-Hispanic polytheism that they were not aware of the fact that, independently of what they were destroying, a more or less free amalgamation of pre-Hispanic and Catholic elements in a private culture of the dead was taking place in the villages. The background to this was the similarity of the latent polytheism of Catholicism (the pantheon of the Saints, if I may call it that way) and the manifest polytheism of the Indians.³⁷

Challenging the notion of Spiritual Conquest as well as Nutini's suggestion of naïve mendicants, Louise M. Burkhart describes in her book *The Slippery Earth* the difficult process of introducing Christianity in the Nahuatl world of Central Mexico through the vehicle of moral dialogue. By learning the native Nahuatl language and studying indigenous culture, the early missionaries translated catechistic texts into terms that would prove meaningful to the new converts. But because of the intrinsic differences between Nahua and Christian, attempts by the friars to introduce their precepts were often thwarted. For instance, the Christian dichotomy of good and evil was reinterpreted by the Indians to fit their dichotomy of chaos and order. In Indian eyes, these constituted not opposing but rather complementary forces. Burkhart shows that the new Christianity contained a lot of Nahua fatalism, which was a fertile field for Christian apocalypticism, so characteristic of the early missionaries. The Last Judgment was standardized as an acceptable theme for didactic art like religious dramas and text throughout the evangelization period. Burkhart concludes that there remained a relatively high degree of Nahua cultural

retention, which was eventually accepted by the friars as a less than orthodox, but strongly apocalyptic 'Nahuatized Christianity'.³⁸

The Indian cult of the dead, with all its private household and public corporate manifestations like housealtars, masses and gatherings at the cemeteries, indeed must have been known to the friars. Peter Jones gives a thorough description of the cult of the dead related to the tradition of family worship in the southern Massif Central, France, between 1750 and 1880. He even notes a similarity between rural Catholicism in Brittany, pre-famine Ireland, Bavaria, Spain and southern France. In matters of death the distinction between the sacred and the profane made very little sense for the rural communities of southern France, according to Jones, or the rural communities of Tlaxcala, according to Nutini, because their communities perceived themselves first and foremost as communities of the living *and* the dead. Nearly all contemporary observers, he writes, stressed that the habits of prayer and spiritual rumination began around the hearth. It was here, too, that the first notions of history and genealogy in the minds of each new generation was planted and that popular religion became heavily impregnated with ancestor worship. A cultural institution which proved particularly suited to this expression of popular religiosity was the gathering of kinsmen or neighbours for sedentary work, relaxation and edification. Religious sodalities, the confraternities in the communities, were built on this and strengthened internal community relationships.³⁹

The process of restructuring the communities in the decades of the Great Death gave birth to Catholic corporatism. Of course, the coming of the missionaries drastically affected local living patterns, for when the original settlements were dispersed, they saw as their first task the creation of a center of community life as a basis for conversion and assimilation; the *congregaciones* discussed above. But this policy succeeded only in the periods of epidemics. When the *pueblos de indios* were created and rooted in the Indian way of life, Catholicism appeared to be not much different from the previous religious life: spontaneous syncretism of pre-Hispanic and Catholic cults, rituals and social life expressed itself in many ways later on. Most villages were divided into *barrios*, with each division endowed with its own patron saint. The cult of this patron saint was sponsored by community funds, administered by the *gobernador de indios*. The confraternities dedicated themselves to the Holy Cross or the blessed Souls of Purgatory (the cult of the dead). As described by Brading, Gruzinski and Lavrin in this volume, the religious-social units like the *calpulli* or, indeed, the *altepetl* were now transformed into Catholic institutions. A Catholicism of which Graham Greene could have repeated his remark:⁴⁰

"It's a strange Christianity we have here, but I wonder whether the Apostles would find it as difficult to recognize as the collected works of Thomas Aquinas."

Under such conditions, the supernatural pantheon of folk Catholicism can not be described as monotheism. The idea existed that God the Father was only 'first among equals', the religious version of the medieval *primus inter pares*, for the people, as Nutini convincingly argues, never understood or paid much attention to the theological distinction between the Christian God and the saints as his underlings. Not only were all the manifestations of the Virgin Mary and Jesus Christ included in the cult of the saints, the monolatrous nature of folk Catholicism meant that the *primus inter pares* on the local level was not God the Father, nor God the Son or the Holy Spirit, but the patron saint of the community. In the eighteenth century when the *altepetl* had given away to a fabric of tiny *pueblos de indios* communal solidarity restricted itself to the community only and did not extend to the *cabecera* or former *cabecera* anymore. The essays of Dehouve and Taylor show this clearly. Van Young calls this phenomenon *campanilismo*, the tendency of villagers to see the political, cultural and social horizon as extending only as far as the view from the church tower. According to Van Young, the atomization of the peasant rebellions around 1810, was the expression of the localocentrism which laid at the heart of the Indians world view.

By that time, the earlier optimistic attitudes of the missionary had given way to a more negative view of the Indians and their culture. Churchmen came to characterize the Indians as ignorant, lazy, drunken, vicious sodomites, and naturally prone to barbarism, violence, rebellion and backsliding. This was nothing special, as Van Young correctly notes, because in Europe rural priests suffered a similar corrosive boredom and existential desperation. No wonder, relations between priests and Indian parishioners could be extremely conflictual and fraught with tensions. Taylor gives evidence of this in his chapter. Nevertheless, he concludes, the rural priests enjoyed greater loyalty and affection of villagers than did the Spanish officials, even if the villagers questioned the priests' motives or feared the consequences. Despite conflicts, the eighteenth-century rural priest cannot be understood only as a solitary figure and a civil servant who joined the Spanish line up in the countryside.⁴¹ While his voice was heard and respected by the inhabitants of the *pueblos de indios*, he supported and defended the communities' rights.

The focus point of socio-religious and political identity had shifted from the *altepetl* to the *cofradías* and *hermandades* in the villages. But this disintegration was not a sign of weakness. The *hermandades* represented units with a physical base and the success of the *hermandades* in the eighteenth century could in part be related to the ongoing process towards the *Territorialverband*. Finding themselves increasingly around their own church tower meant strong intravillage solidarity. All inhabitants belonged to a confraternity. The main symbolic activities executed by the *altepetl* had been collective eating and drinking and the celebration of the gods. Both activities were taken

over by the confraternities. Food and drink continued to create and maintain a relationship both with the saints and between the members of the community. The villagers had taken hold of an institution they considered to be an element of stability, continuity, cohesion and collective identity. In many *pueblos*, writes Gruzinski in his contribution, it is possible to equate *cofradías* or *hermandades* and community.⁴² He cites cases of confraternities which aspired to the *pueblo* status and to the right to elect their own officials. The leaders of the confraternities, usually called *mayordomos*, were elected every year, and had a role not only in the organization of the religious feasts but also in the general administration of the community incomes. Several members of *cacique*-families were one year *cofrades* or *mayordomos* and next year acted as *gobernadores de indios*.

In sum, this institution of rural life became the property of the local elite, the *caciques*, who administered the confraternities in the villages -dedicated to both the village patron saint as the cult of the dead and also to the strengthening of village cohesion as much as possible. For them the confraternities constituted a channel of influence, an instrument of domination, because all the *caciques*, *principales*, *gobernadores*, or *fiscales*, who administered the incomes were not directly answerable to the rest of the community or to the parish priest. The evidence gathered by Lavrin strengthens the idea of the relative administrative autonomy enjoyed by most rural confraternities, and the nonchalant attitude of religious authorities about the means used by religious corporations to raise funds. She concludes that her evidence on the economic administration of the confraternities also points to the ability of the members of the Indian elite to use all mechanisms of commercial capitalism available to them in their own economic microcosm. Their capital was even plowed back.

However, confraternal income was part of a complex net of voluntary and compulsory forms of tribute, explained by Lavrin in her essay, and its importance was correlated to the wealth of the town and the region. The degree to which *mayordomos* spent their own money in the ritual celebrations of their corporations was a subject of discussion and reflection among priests in the eighteenth century, and one that seems crucial in determining the *caciques*' role in the town as well as in the *hermandad*. The *cargo* or expected expenses of the annual feasts and masses was regarded as an economic burden that few could afford, but which was rarely refused. The *mayordomos* preferred to incur debts rather than refuse to accept the expenses or cut them down. The *cargos* could not be used by the *caciques* to enrich themselves, but it rendered prestige, status and power and I think that the losses could be balanced by the income that was gained by a post as *gobernador* in the political part of community administration. Nevertheless, the debts increased in the late eighteenth century. Of course, economic problems in the villages because of overpopulation, bad harvests and rising prices of agricultural products lay at the origins of the problems the *caciques* confronted. Spanish policy in that

period was to eliminate the poorer confraternities and to strengthen those with sufficient income, with the result that in 1805 many were in good financial shape. And indeed official community budgets administered by the *gobernador de indios* had partly taken over the financing of feasts.

This is in line with the arguments provided by Chance and Taylor on the development of the so-called civil-religious hierarchy.⁴³ Ethnographers characterize the ranked offices, called *cargos*, in the villages as a civil-religious hierarchy that together comprise the community's public (the *gobernador de indios*, for example) and religious (the *mayordomos*) administration. All local men were expected to ascend this ladder of achievement during their lifetimes, alternating back and forth between civil and religious posts. According to Chance and Taylor the *cargos* were mainly civil in the colonial period, civil-religious in the nineteenth century and mainly or only religious in our own time. The prestige enjoyed by the *cargueros* and their families did not come without a price, for many *cargos* require substantial financial outlays, like sponsorships of festivities and other ritual occasions held for the local saints. This system was, according to Eric Wolf, a levelling mechanism that prevented the emergence of significant wealth and exploitation inside the so-called *closed corporate peasant communities*.⁴⁴ Recent literature denies the levelling character of the *cargos*. Especially the civil-*cargos* of the colonial period, discussed above, and the religious-ones of contemporary Mexico were used by the *caciques* to accentuate class differences and even accumulate capital.

With this conclusion we have touched upon a more fundamental question of interpretation. Both in the discussion of corporate land tenure and the prevailing ideology in the Indian villages of colonial Mexico we find a relationship with the *auxilium et consilium* of the moral economy. The concept of moral economy, developed about 20 years ago by the British historian E. P. Thompson and discussed by De Jong and partly by Van Young in this volume, places importance on the relationship between material concerns and culture. As is shown by Stavig,⁴⁵ it is a helpful concept in understanding the efforts by Indians to preserve their way of life. It emphasizes the importance of custom and tradition, which were -as can be seen in the essays of this volume- in a continuing process of change. The relations between groups and individuals, such as those between the colonial state and the Indians, rooted in unwritten but understood norms of conduct and reciprocity, gave cultural meaning to the more formal agreements that required the native people to render service and tribute to the colonial state and to accept the guidance and leadership of their *caciques* in exchange for access to rights and resources that allowed them maintain their way of life and to subsistence. The position of the *caciques*, the development of corporate land tenure and the behaviour of the villagers invites a more thorough theoretical discussion of the concept of community.

THE FOUNDATION OF THE PEASANT COMMUNITY

Cooperation in Matters of Common Concern

The concept of community requires careful investigation. According to classical anthropological theory the Indian peasants had united themselves in *closed corporate peasant communities*, which formed the corporate basis of their *peasant-economy*. The concept of the *peasant-economy* is hotly debated between orthodox and unorthodox Marxist writers and recently by non-Marxists as well, but there seems to be some general agreement about one aspect: it is guided by a non-capitalist logic.⁴⁶ This is usually contrasted with other types of peasant communities, including the more open *mestizo* villages, which mostly work along capitalist lines of production. To Wolf and others, the Indian communities possessed all the hallmarks of the *closed corporate peasant communities* such as restricted membership, communal jurisdiction over land, a religious system of notable endurance, and the levelling mechanism which ensured the equal redistribution of surplus wealth, and maintained barriers against the entry of goods and ideas from outside. The members of these communities were socially and culturally isolated from the larger society in which they existed. Although the model of the *closed corporate peasant community* has become widely accepted, Eric Wolf, after reading the most recent historical studies of colonial Mexico, has stated,⁴⁷ in a recent review of his own work, that his original idea "now seems overly schematic and not a little naive."

And indeed, several characteristics of the model of the *closed corporate peasant communities* can not be properly defended anymore. As has been shown, communal land tenure did exist in the end, but it was administered by the village elite and not equally distributed. At the same time, all essays in this volume show that the members of the Indian communities were not socially and culturally isolated from the larger society in which they existed. Besides this, I would stress as one of the most significant features to have surfaced as a result of recent historical investigations the extent of spatial movement within and, above all, between the Indian communities. As argued above, on the basis of several of these studies I estimated that during the eighteenth century perhaps one third to one half of the inhabitants of the *pueblos de indios* were immigrants. Indians from elsewhere, but also *mestizos* or Spaniards, were easily integrated in the communities and received all the rights belonging to them like a plot of the *común repartimiento*. There is evidence that some *pueblos de indios* housed several groups; the *pueblo* of Atzacapotzalco, for example, had a *gobernador de indios* for the Nahuatl-speaking families and one for the Tepanecotl-speaking families. The rival group that challenged the *caciques* of Otumba in the late 1780s, a case mentioned above, came from outside the village. In fact, the colonial Indian villages all resembled Wolf's model of the *open corporate communities*.

The notion of *closed corporate peasant communities* has been seriously undermined by anthropologists as well. Recent researchers like Robert Wasserstrom, Marie-Noelle Chamoux and Frans J. Schryer have challenged the idea of the egalitarian ethos of the villagers, the emphasis on conformity, and the levelling mechanism of the civil-religious hierarchy. As indicated earlier in this essay, these authors argue that the old model is incompatible with a process of internal differentiation into economic classes, that was the result from the greater integration of the villagers into the market economy. Lavrin has shown that as early as the colonial period the administration of the confraternities operated along capitalist principles. Others explained that the system of the *repartimiento de comercios*, mentioned by Taylor, operated as an important element of economic integration at the local level. Dehouve and Pietschman illustrated in essays published in another volume how the institutions of tribute, *repartimiento*, confraternities, and ecclesiastical dues were used to integrate a series of *pueblos de indios* into the broader colonial economy. The Indians participated fully as producers as well as consumers and traded in their own right. They were agriculturalists, artisans, raisers of livestock, muleteers, operators of flour or sugar mills, and so on. Credit, through the *repartimiento de comercios*, linked them to the main urban markets and the wider colonial economy. A considerable degree of monetarization could be seen in the villages.⁴⁸

Nevertheless, even authors like Wasserstrom, Chamoux and Schryer are somewhat hesitant to leave the concept of the *corporate* community completely behind. Indeed, such a bold step would mark a breakingpoint in historical, sociological and anthropological thinking. Although historians of European villages hardly speak of *closed corporate peasant communities* or *peasant economy* they also use the term community frequently and in the same manner. The anthropologist and historian Alan Macfarlane, who feels suspicious of the arguments used in the *peasant debate* in general, stresses the romantic background of this:⁴⁹

"The belief that stable and tightly-knit communities have existed in the past and still survive in distant lands is an important myth for industrial and highly mobile societies. It's therefore no coincidence that it was in the turmoil of late nineteenth-century industrialization that the idea of 'community' as opposed to modern 'society' was developed extensively, (...). It was felt that society was changing, values were being undermined, an older closeness was being lost. This powerful myth both influenced, and seemed to find support in, the work of historians and anthropologists during the first half of the twentieth century."

In short, the term community may be considered a relic of the simplistic thinking of nineteenth-century and early twentieth-century writers seeking in history or anthropology an emotionally satisfying alternative to their own socially mobile age. Many researchers were disappointed to find so much exploitation in past or in Third World

societies: European capitalism had robbed the peasants of their innocence. Macfarlane concludes that the peasants will only be truly emancipated in historical and anthropological research when historians and anthropologists have overcome their romantic visions. As is suggested above, this process is now underway.

The term community can be used in several ways. First there are these phrases like 'rural community' as indicated above, which smack of ethnocentrism and conceal the true nature of the historical process in the countryside. These phrases deny the role of individualism, proletarianisation and class conflict altogether. The *closed corporate peasant communities* falls into this category. Second, the rural community can be defined as a unit of agricultural production. Common land provided a ready basis for the sentiment of community. This kind of usage is not much different from the *closed corporate peasant community*. I have asserted earlier, that the common ownership of land was not a prerequisite of an integrated corporate society: a small group of *caciques* exploited the mass of the poor. In Europe the situation was not much different, for the commons were all too often neither close, compact, nor collectively owned. Gross inequalities of provision, as between sections, and of access, as between individuals, ensured that common usage of land remained a source of perennial conflict rather than consensus. Third, and most important, the word community is used as a simple juxtaposition with such terms as 'village' or 'rural settlement'. This stresses the physical context of the community, and, indeed, many historians and anthropologists would argue that the sense of community can only develop in conditions of geographical proximity. The temporal and spiritual authorities merely consecrated this identification by turning the village into a unit of fiscal and parochial administration. As could be seen above, the *pueblos de indios* of the seventeenth and eighteenth centuries fall into this category.⁶⁰ And, in any case, I have frequently used the word community this way.

The historian Peter Jones introduced a major point of criticism that can not easily be neglected. If the rural community is viewed primarily as a by-product of an agglomerated settlement pattern, he writes, its existence in thinly inhabited regions which lacked a well-ordered landscape must be questioned. We can compare the Mexican *pueblo de indios*, which was almost certainly based in densely populated areas, with the Peruvian equivalent, which was settled in much more thinly populated areas. Although the Peruvian case will not be discussed here, the point is made: the Peruvian *ayllus* seemed to have been coherent communities. Like the pre-Hispanic and sixteenth-century *altepeme* in Mexico these were kinship groups whose members claimed descent from a common ancestor and married within the group. A Peruvian village community typically consisted of several *ayllus*. Communities in Europe were not much different. Jones found similar traces of kinship in the surviving communities of southern France.

According to him a simple solution to the problem of community in the countryside would be to assert the primacy of the household unit. The members of communities were linked together by bonds of biological and psychological cousinhood. The same argument can be found in Peter Laslett's *The World We Have Lost*, but here it is combined with the argument of physical settlement of the community:⁵¹

"The village community was (...) the group of households at the centre of a particular area of cultivated land. (...) To the facts of geography, being together in the one place, were added all the bonds which are forged between human beings when they are permanently alongside each other; bonds of intermarriage and of kinship, of common ancestry and common experience and of friendship and cooperation in matters of common concern."

We can make the circle round again by asserting that behind the formation of kinship bonds was a temporal or spiritual juridical organization, like parishes and neighbourhoods, or one might find seigneurial units like manors, households, marks, *communautés*, etc.

In my view Laslett's remarks on the common ancestry and common experience and of friendship and cooperation in matters of common concern of households, living within a certain unit, might be the most useful definition of communities. It is not necessary to pronounce either upon the open or closed nature of the community, or upon its corporate character. It deals with the question of migration, because also in rural England, the subject of Laslett's remarks, the number of immigrants in the villages and hamlets was high. It deals with the question of class formation and internal exploitation, because European communities knew also a kind of *cacique*. And it deals with one of the most fundamental characteristics of communities: the relationship with people and institutions outside its borders. There is an outsider and an insider view of communal development, and much of what has been discussed above and what will follow in the essays of this volume is an attempt to analyze the notions from the inside. The rural community, Jones writes, evinced a Janus-like character: explored from within it resembled nothing so much as a nest of vipers, but as soon as an external threat loomed over the horizon internecine strife ceased and ranks closed behind the broad shoulders of the village dignitaries. This inside/outside dichotomy is different from the one enclosed in the model of the *closed corporate peasant communities*.⁵²

The crucial element, then, lies in the answer on the question of what was at the root of friendship and cooperation. What were matters of common concern? Ties of kinship were only in part important. Cousinhood or not, people would emigrate to the otherside of the world if they thought matters were better there. The historian David Sabeau argues that what was common in community was the fact that members of a community were engaged in the same argument, the same *raisonnement*, *Rede* or discourse, in which alternative strategies, misunderstandings, conflicting goals and values were threshed out. In

so far as the individuals in a community might all have been caught up in different webs of connection to the outside, no one was bounded in his relations by the community and besides this particular boundedness people would simply pass each other by. This means that community relationships were formed every time a problem of common interest occurred, mostly from outside the fabric of household relationships. This might originate in climatic changes: a bad harvest was a strong incentive to join hands. But most often, as is shown by the essays in this volume, it would originate from struggle with elites, landlords, merchants or church and state officials.

Realizing that community was mainly a matter of mediations and reciprocities, it cannot be analyzed apart from the changing relationships of dominance and power, or *Herrschaft*:⁶³

"The issue is (...) in what way a collectivity such as a village or a neighborhood is bound together through mediated relationships involving aid, conflict, aggression, and sharing. In the way that we confront the reality of village life, we see that community was not something 'pre-modern', unchanging, structural, but was constructed, changed with time, and can only be grasped as historical process because those elements through which relations were constructed, whether 'real' or symbolic resources, were constantly in movement."

What made community possible, writes Sabeán, was the fact that it involved a series of mediated relationships that changed over time. One form of mediation, and, as expressed earlier, a central one, was provided by property: the access to resources, the apportionment of rights and claims, and the acceptance of obligations and duties. As such it belonged to the bonds of the *Territorialverband*. Another form of mediation could be found within the spheres of production and exchange. A third form would be found in the sphere of social value and religion. These forms included both sharing and conflict. Community existed where not just love but also frustration and anger existed, a psychological outlet to vent feelings. Villagers grasped community most centrally within the terms 'envy' and 'hate'.

Since we know that villagers were constantly altering their structural relations as the nature of state and church institutions changed, it is clear that there were as many communities as there were mediated relations. One item stood out, however. In colonial Mexico, like everywhere else, two groups were involved in community discourse: the ones that had easy access to the means of production and the ones that had no access, or hardly any. Here different communities were formed. In the case of usufruct of land, for example, Mexican villagers were in negotiation with their *caciques* to share in the *común repartimiento*. They formed clientelistic coalitions against other groups inside the village. If we understand 'corporation' as a united body of persons, the Indian community numbered several 'communities'. But at the same time *caciques* joined hands with all villagers against the Spanish state to extend the amount of land under communal control.

The same can be said for the mediation between the supernatural powers and the villagers. Taylor, Gruzinski and Lavrin present examples of such a position of the village priests. In many ways the *caciques* and the priests were both the main expression of community as the main target. Expressed in a, somewhat crude, Wolfian manner, what had been defined the *closed corporate peasant community* was not 'closed', not 'corporate', and perhaps not even a 'community'.

Dominance, Legitimization and Resistance

The maintenance of church and royal state officials of New Spain, and not to forget the village *caciques* as well, depended in the end upon their successful dominance of the Indian peasants. However, the authority of these lords, if I may call them such, should not be confused with the coercive power of a modern bureaucratic state. Dominance -Sabeau uses the Weberian word *Herrschaft*- had less to do with government in the modern sense of the word than it did with the officials' and the lords' personal or patrimonial domination of their subordinates. In eighteenth-century Mexico this dominance flowed principally from control over land. The legitimate exercise of these authorities was sanctioned more by the sacredness of custom and religious principle than by consciously created systems of rational laws. This is not to say that lords and officials had absolute power to bend the subjects to do their will -indeed, the local *alcaldes mayores* were systematically neglected by the Indians, who travelled to the *Audiencias* in Mexico City or Guadalajara to claim their rights. In practice, as is also shown in this volume by De Jong, Taylor, Osborne, Haskett and Wood, power to impose order depended far less upon the state's or lord's claims to abstract legal rights over their subjects than it did upon the exercise of authority in concrete situations. The dominance any individual exercised over peasants was tempered both by a weak administrative hierarchy and by the observance of customary restraints on the legitimate use of authority.⁵⁴

The concept of *Herrschaft* or dominance discussed by Sabeau, Robisheaux, Blicke and others express the institutional relationships of authority, such as the domain of rights and jurisdiction adhering to the exercise of juridical authority, the relationship of a lord, *cacique*, to the collectivity of his direct subordinates, and, the ownership and control of land, with various obligations paid to the lord, like tributes. The relationship was seen as a personal one, above all because an individual could in theory and often in practice be under the domination of one lord as member of his clientèle, of another as tax payer, and yet another as juridical subject. These forms of dominance more or less clearly expressed surplus extraction. The *caciques*, the priests and the *alcaldes mayores* had specific rights to tributes and duties. Indeed, it seems that dominance could be put into the categories of property, maintaining that the relationship was one of ownership over things or persons, with officials and lords were taking what they

owned with all due regard for the reproduction of the human material necessary to continue the possibility.

But the other half of *Herrschaft*, writes Sabeau, was just as central to the institution: the offering of protection in the form of clientage, justice, general tranquility, order, or military protection. The sum total of all forms of *Herrschaft* was seen together as offering protection and guaranteeing the reproduction and survival of the rural household units, making it unnecessary to question any one form. But, precisely because of the changing relationships through time, noted above, most forms of *Herrschaft* appeared very unbalanced. Subjects sometimes put one or other forms of *Herrschaft* into question because it did not offer any correlative service. The specific factor of time resulted in a vision upon *Herrschaft* as always in part arbitrary, not always correctly balanced by an adequate return, too costly, and sometimes maintained by a degree of violence. This necessitated a continuing process of legitimization (so characteristic for the *Personenverband* as well).

When one examines the daily practice of dominance, it becomes clear that legitimization was integral to it. Villagers demanded a just treatment from colonial, religious or local magistrates. It was accepted at the outset that the exercise of power and the accumulation of wealth by magistrates and elite members was to some extent arbitrary and that its arbitrariness had either to be justified or masked: *Herrschaft* as the evocation of obedience, the satisfaction of mutual interests, and the fulfillment of needs. According to Sabeau's conclusion, the arbitrariness and legitimizing of wealth and power should be considered one of the central mechanisms for the continual forming and reforming of historical consciousness; new 'needs' were continually generated and old 'needs' denied. Needs as defined by the officials and lords were uninterruptedly at conflict with needs felt by subjects, so that the costs of *Herrschaft* were not just to be found in the payment schedule of tributes and rents, but also in the continual round of redefinition of needs or their suppression.⁵⁵

The Spanish colonial system, while imposing its laws and obligations, had left the Indian communities largely self-governing. They were allowed and expected to resolve most of their internal difficulties. Reliance on the legitimacy of the power of the *caciques* could help preserve the integrity and solidarity of internal community relations. At the same time, however, the changing relationship with the state and the social and economic development in the *pueblos de indios* could become a force for disintegration and disunity as well. While most *caciques* performed their work with community interests in mind, by the late eighteenth century the number of cases increased in which the relationship between *caciques* and their communities had weakened. Especially in the late eighteenth century population pressure inspired many Indians to leave their villages. It caused problems to the legitimization of the *caciques'* role.⁵⁶ This seems to support the case for dealing with the lord/subject relationship with a simple two-

part model of the system. The elites confront the rest of the population. The studies in this volume examine how people at different levels of society were implicated in the apparatus of domination. There were important advantages in the everyday exercise of power, which attracted Indians, and not only elite members, to accept *cargos* in the religious hierarchy of the *pueblos de indios* and wait for opportunities to be elected as *gobernador de indios*. But the exercise of power could also have its costs of isolation, risk, fear, dishonor, and ridicule. This is clearly expressed by the many examples and episodes cited by Sabeán from village life in Southwest Germany between 1580 and 1800. It is not difficult to extract similar examples from Indian life in New Spain in the essays in this volume.

The ideological background in which the needs were defined and re-defined was the *subsistence ethic* of the *moral economy of provision*, also referred to as the *moral economy of the poor*. It was introduced in analyses of food riots and focussed on elements of *collective bargaining by riot*.⁵⁷ But as De Jong correctly argues, E. P. Thompson and James Scott tried to indicate the presence of an ideology of rights of survival and subsistence not only in general popular thinking, rooted in unwritten but understood norms of conduct and reciprocity, but in the thinking of the political and economic elite as well:⁵⁸

"While this moral economy cannot be described as 'political' in any advanced sense, nevertheless it cannot be described as unpolitical either, since it supposed definite, and passionately held, notions of the common weal -notions which, indeed, found some support in the paternalist tradition of the authorities; notions which the people reechoed so loudly in their turn that the authorities were in some measure the prisoners of the people. Hence this moral economy impinged very generally upon (...) government and thought, and did not only intrude at moments of disturbance."

Thomas Robisheaux convincingly stresses the Christian contribution to these norms. Expressions of the moral economy can almost certainly be related to modernization or centralization of the power structures and above all to the penetrations of the forces of the market economy and capitalist relationships into the countryside. The coming of the political economy was considered the *Unchristian Economy*. Not only in Europe such voices could be heard, for historians like Phelan, McFarlane, Larson, Langer, Stavig, and Tutino were able to hear them in mainly colonial Latin America as well.

At the same time one should note the appearance of an important difference in economic thinking. Already in the eighteenth century, the elites, merchants and landlords were using the new science of political economy to administer their enterprises. Their knowledge was based on *positive economics*, the knowledge of how the economy in an objective manner functioned. Their *normative economics*, the conviction of how the economy *should* function was increasingly and

strongly inspired by the knowledge of positive economics. The peasants, however, looked at the economy from a moral point of view. Their *normative economics* were based on the *subsistence ethic*, born out of fear of food shortages and subsistence crises. This ethic arose from the central economic dilemma of most peasant households. The French historian Muchembled speaks of a *culture de survivre*. A subsistence crisis would mean short rations, and the sale of land or livestock. Scott correctly argues that the peasant family's problem was to produce enough food to feed the household, buy necessities such as salt and cloth, and meet the irreducible claims from outsiders. This production was partly in the hands of fate, and partly the result of local tradition to harvest the most stable and reliable yield possible (seed varieties, planting techniques and timing). Besides these technical arrangements there were the many social arrangements, like patterns of reciprocity between neighbours, forced generosity, the control and distribution of land, and worksharing.⁵⁹

The wider society was expected to support the peasant's struggle for survival. Especially in times of trouble the village elites, the landlord and the state and church officials had to offer direct relief. In exchange these 'magistrates' demanded, to put it starkly, status differences, wealth and power, which, according to Mann,⁶⁰ "(...) derive from their ability to mobilize the resources of that collectivity." The *subsistence ethic* dictated the norms to judge the behavior of the elite: what was or was not considered rude exploitation. It could happen that in certain circumstances the conditions of peasant life deteriorated but that the relationship between 'lord' and 'peasant' improved, because the 'lord' distributed food, clothing, or land, or impeded food prices from being 'unjustly' increased. But, precisely because mutual needs were constantly being redefined, the concept of 'just' and 'unjust' was changing all the time.

One of the major elements that would change the balance of power between the patricians and the plebeians was the increase or decrease of relative overpopulation. Demographic growth brought always danger to the balance of subsistence in peasant society. Within a certain region the rural poor had a strong bargaining power in periods of low population density. The local magistrates had to listen seriously to their wishes. The process of redefinition of the needs and the changing balance of bargaining power as results of demographic development in which the stronger position is taken by the elites and officials can be expressed in the formula:

$$a. \quad DD \uparrow = bpL \succ bpP > bpP \succ bpL,$$

in which DD symbolizes demographic development (\uparrow = increasing relative overpopulation; \downarrow = decreasing relative overpopulation), bp 'bargaining power of', L 'the landlords, elite members, state and church officials' and P 'peasants'; the sign \succ indicates the better position of bargaining power of one group over the other.⁶¹ In this

case the power of the elites over the rural poor had more weight than the influence of the rural poor upon the behavior of the wealthy and political powerholders. The rural poor had to lower their demands. The case was different in periods of decreasing population density:

$$b. \quad DD \downarrow = bpL \rightarrow bpP < bpP \rightarrow bpL.$$

These formula's are useful in interpreting labour relations as well. The landlord, or *hacendado*, could 'exploit' his fieldhands more in periods of high population density.

If we try to apply these formula's in the interpretation of the development of the Indian community in New Spain, I suggest to use the first variant (a.) both for the period of relative overpopulation in the era of Conquest and *encomenderos*, as well as for the era of the late eighteenth century which saw the increasing power of the *caciques* in matters of village life. The exploitation of the rural poor was at its highest then. The rapid changes during the last decades of the eighteenth century caused in the poorer parts of New Spain the outbreak of a general peasant rebellion against modernization and prolonged commercialization. The second variant (b.) might be applied to interpret the century after the Great Death, roughly between 1630 and 1750. This was a period of relative tranquility, which saw the general foundation of popular Catholicism and of the *Territorialverband*, although this foundation was introduced in the preceding era. Of course, the formulas cannot be applied in explaining the Great Death itself, nor the outcome of the reconstruction that took place in that period. Interesting to note, and this follows from many of the arguments brought forward in this volume, is that the position of the relatively strong *pueblos de indios* was backed by the Spanish state, especially by the judges of the *Audiencias*, as well as by most priests.

FUTURE RESEARCH

In this somewhat speculative survey I intended to make clear that our knowledge about the Indian community in New Spain is now considerably more extensive than it was twenty or thirty years ago. However it is still strikingly uneven, both in chronological and thematic terms. Land tenure in the eighteenth century is far better known than land tenure in the rest of the colonial period. Also we know considerably more about the church and rural confraternities of the eighteenth century than of the preceding centuries. And the position of the *caciques* seems to have been clarified. I have tried not only to summarize this knowledge but also to present a way of understanding it.

But of course, we are only on the threshold of knowing what the Indian community was like. More studies are necessary, not only studies of a regional nature, but especially of a more indepth local nature. European socio-economic history is flourishing because the his-

torians are prepared to limit themselves to only one tiny parish or village. Analysts of popular culture usually take not more than one or two examples from the archives. I think we must leave the path of writing the "history of the valley of Mexico," the "history of the valley of Oaxaca," or the "history of the *hinterland* of Guadalajara." This has been done. We should use these studies to go into the wealthy mines of community studies. And as is shown by European historiography, this would *not* mean wandering away from the important discussion of the relationship between the particular case and general conditions. Sabeau's study of the village of Neckarhausen, for example, brought considerable insight in the *mentalité* of rural people in general.

One theme in particular must be touched upon soon: the economy of the *pueblos de indios*. We know by now that the Indian villages were more integrated in the colonial economy than had been stated by Wolf thirty years ago. The dualistic interpretation enclosed in his model of the *closed corporate peasant communities* cannot be endorsed by archival evidence. On the contrary. But the exact economic development of the Indian village is a history that remains to be written. The market aspect and the non-rural activities of the villagers cannot be left out. More light must be thrown over the background and functioning of the *repartimiento de comercios*. Pietschmann's excellent essays must be considered as only the beginning of a new sequence of research.⁶² To understand the role and development of the *pueblos de indios*, it seems important to place them in an ecological context and to determine the cartographical dimensions through time. Available sources permit a demographic construction and they would hopefully allow for an approximation of the historical trend of land values, agricultural production, rural prices and trade. The history of the weekly markets, the so-called *tianguiz*, started by Hassig, can easily be extended to the eighteenth century.⁶³ And, last but not least, Tutino's attempt to write the history of economic power inside the villages must be continued. The archives are full of litigation related to the use of the *común repartimiento*.

To conclude, the question of theoretical interpretation must be integrated in this kind of research. The memory of the Mexican Indian is one in which cultural continuity and resistance prevail. We have to accept, concludes Wachtel in his contribution to the first volume of *The Cambridge History of Latin America*, that after the initial shock of conquest the history of colonial society, both in New Spain and Peru, was that of a long process of economic, social, political, and ideological reintegration. Nevertheless, the Mexican Indian has lived in complex, but small-scale agrarian societies, like most of the world's population. Because of the relative isolation in which groups of *pueblos de indios* have developed there tended to be great cultural and ecological variation among them. This has been shared by all agricultural peoples, and small village research put in a strong comparative context has therefore a great potential for generalisation, especially

when all regional and local differences can be known. And above all the origins of these differences. If Pierre Bourdieu may use his field-work in one Algerian village to outline a 'theory of practice', historians could join hands in outlining a new theory of communities. The integration of European and Latin American research will be the keypoint to this. In sum, the grand encounter between the Old and the New might well be interpreted as an ongoing battle -as is done by Wachtel-, but examined more closely at the village level the meeting of Indian and Spanish cultures might appear less of a titanic clash and more of a mating dance.⁶⁴

ENDNOTES

1. William B. Taylor, "Indian Pueblos of Central Jalisco on the Eve of Independence," in *Iberian Colonies, New World Societies: Essays in Memory of Charles Gibson*, Richard L. Garner and William B. Taylor, eds. (Private Printing, 1986), 161-183, esp. 166.
2. Robert Wasserstrom, *Class and Society in Central Chiapas* (Berkeley, 1983), 1.
3. Lovell takes up a middle position between the old and the new paradigm, referring to a *Grey Legend* see W. George Lovell, "Surviving Conquest: The Maya of Guatemala in Historical Perspective," in *Latin American Research Review* (hereafter *LARR*), 23:2 (1988), 25-57, and "Rethinking Conquest: The Colonial Experience in Latin America," in *Journal of Historical Geography*, 12:3 (1986), 310-317. On the lost paradise, see J. H. Elliott, *The Old World and the New, 1492-1650* (Cambridge, 1970); Anthony Pagden, *The Fall of Natural Man. The American Indian and the Origins of Comparative Ethnology* (Cambridge, 1982); Tzvetan Todorov, *La conquête de l'Amérique: La question de l'autre* (Paris, 1982) [Spanish translation *La Conquista de América. La cuestión del otro* (Mexico City, 1987), the English translation *The Conquest of America* was published in New York in 1984]; Ton Lemaire, *De Indiaan in ons bewustzijn. De ontmoeting van de Oude met de Nieuwe Wereld* (Baarn, 1986). This is summarized and commented upon in the first chapter ("Op zoek naar het paradijs") of my forthcoming book *Tetzahuitl, of: Er sluipt chaos in de orde*.
4. Eric Wolf, *Europe and the People Without History* (Berkeley and Los Angeles, 1982), 380. This vision echoes his *Sons of the Shaking Earth* (Chicago, 1959).
5. Wolf, *Europe*, 145.
6. Surprisingly even Nathan Wachtel, once a strong defender of the Black Legend -see his *La vision des vaincus: Les Indiens du Pérou devant la conquête espagnole, 1530-1570* (Paris, 1971)- is now changing his ideas, see his recent "The Indian and the Spanish Conquest," in *The Cambridge History of Latin America*, Leslie Bethell, ed. (Cambridge, 1984), I, 207-248.
7. Frans J. Schryer, "Class Conflict and the Corporate Peasant Community: Disputes Over Land in Nahuatl Villages," in *Journal of Anthropological Research*, 43:2 (1987), 99-120.
8. See Nigel Davies, *The Ancient Kingdoms of Mexico* (Harmondsworth, 1983), 26-28. Also James Lockhart and Stuart B. Schwartz, *Early Latin America. A History of Colonial Spanish America and Brazil* (Cambridge, 1983), 31-49.
9. See Steve Stern, "Latin America's Colonial History. Invitation to an Agenda," in *Latin American Perspectives*, 12 (1985/44), 3-16. On rural resistance in the Andean region, see the essays collected in *Resistance, Rebellion, and Consciousness in the Andean Peasant World, 18th to 20th Centuries*, Steve Stern, ed. (Madison, 1987); in Yucatán, see Nancy Farris, *Maya Society under Colonial Rule. The Collective Enterprise of Survival* (Prince-

- ton, 1984); in Guatemala, W. George Lovell, *Conquest and Survival in Colonial Guatemala: A Historical Geography of the Cuchumatán Highlands, 1500-1821* (Kingston, 1985).
10. Charles Gibson, "Indian Societies under Spanish Rule," in *Colonial Spanish America. A Selection of Chapters from the Cambridge History of Latin America*, Lealie Bethell, ed. (Cambridge, 1987), 361-399. Like Lovell recently, Gibson had originally defended a *Grey Legend*, see his *The Aztecs under Spanish Rule. A History of the Indians of the Valley of Mexico, 1519-1810* (Stanford, 1964). More examples of this in *The Inca and Aztec States, 1400-1800: Anthropology and History*, G. A. Collier, R. J. Rosaldo, and J. D. Wirth, eds. (New York, 1982); *Spaniards and Indians in Southeastern Mesoamerica*, Murdo J. MacLeod and Robert Wasserstrom, eds. (Lincoln, 1983).
11. See Wendy Davies, *Small Worlds. The Village Community in Early Medieval Brittany* (Berkeley and Los Angeles, 1988), esp. p. 63. Paul Kirchhoff, "Land Tenure in Ancient Mexico, a Preliminary Sketch," in *Revista Mexicana de Estudios Antropológicos*, 14 (1954), 351-361, quote from p. 351. The quote from Rousseau in Michael Mann, *The Sources of Social Power. Volume I: A History of Power From The Beginning to A. D. 1760* (Cambridge, 1986), 51.
12. H. R. Harvey, "Aspects of Land Tenure in Ancient Mexico," in *Explorations in Ethnohistory. Indians of Central Mexico in the Sixteenth Century*, H. R. Harvey and Hanns J. Prem, eds. (Albuquerque, 1984), 83-102.
13. Bernardo García Martínez, *Los pueblos de la Sierra. El poder y el espacio entre los indios del norte de Puebla hasta 1700* (Mexico City, 1987), 73, on the Totonaco translation of 'village' I will return below. See his excellent discussion on the *altepetl* from pp. 66-79. See as well Robert Haskett, "Indian Town Government in Colonial Cuernavaca: Persistence, Adaptation, and Change," in *Hispanic American Historical Review* (hereafter *HAHR*), 67 (1987), 203-231.
14. Davies, *Small Worlds*, 63-67, 138-139, 158-159, 172-173.
15. James Lockhart, "Capital and Province, Spaniard and Indian: The Example of Late Sixteenth-Century Toluca," in *Provinces of Early Mexico. Variants of Spanish American Regional Evolution*, James Lockhart and Ida Altman, eds. (Los Angeles, 1976), 99-123.
16. *Personenverband* and *Territorialverband*, also discussed by Hoekstra in this volume, were introduced in Latin American historiography by Bernard Slicher van Bath, see his "Spanje en de Peruaanse Andes na de conquista: Een botsing tussen twee sociale en economische systemen," in his *Indianen en Spanjaarden. Een ontmoeting tussen twee werelden, Latijns Amerika 1500-1800* (Amsterdam, 1989), 117-137, esp. 125.
17. See the short description by John Tutino, "Agrarian Social Change and Peasant Rebellion in Nineteenth-Century Mexico: The Example of Chalco," in *Riot, Rebellion, and Revolution. Rural Social Conflict in Mexico*, Friedrich Katz, ed. (Princeton, 1989), 95-140, esp. 97-99. Also, García Martínez, *Pueblos de la Sierra*, 79-91.
18. García Martínez, *Pueblos de la Sierra*, 78, note 23.
19. See Serge Gruzinski, "La mère dévorante: alcoolisme, sexualité, et déculturation chez les Mexicas (1500-1550)," in *Cahiers des Amériques Latines*, 20 (1979), 5-36, esp. 22-26.
20. See also the documentation published by Hilda J. Aguirre Beltrán, *La congregación de Tlacopec (1604-1606). Pueblo de indios de Tepeaca, Puebla* (Mexico City, 1984).
21. García Martínez, *Pueblos de la Sierra*, 151-179; Tutino, "Agrarian Social Change," 98-100; Stephanie Wood, "Corporate Adjustments in Colonial Mexican Indian Towns: Toluca Region, 1550-1810" (Ph.D. diss., University of California at Los Angeles, 1984), 212-237.
22. García Martínez, *Pueblos de la Sierra*, 305.
23. Margarita Menegus, "La parcela de indios," in *La sociedad indígena en el Centro y Occidente de México*, Pedro Carrasco, ed. (Zamora, 1986), 103-128; quote from Zorita on p. 128.
24. See, for example, David J. Robinson, "Indian Migration in Eighteenth-Century Yucatán: The Open Nature of the Closed Corporate Community," in *Studies in Spanish American Population History*, David J. Robinson, ed. (Boulder, 1981), 149-173; Arij Ouweneel, *Onderbroken groei in Anáhuac. De ecologische achtergrond van ontwikkeling en armoede op het platteland van Centraal-Mexico (1730-1810)* (Amsterdam, 1989), 82-91.

25. Wood, "Corporate Adjustments," 110-153.
26. John Tutino, "Provincial Spaniards, Indian Towns and Haciendas: Interrelated Sectors of Agrarian Society in the Valleys of Mexico and Toluca, 1750-1810," in *Provinces of Early Mexico, 177-194*, esp. 183-187.
27. Tutino, "Provincial Spaniards, Indian Towns and Haciendas," 187. David E. Vassberg, *Tierra y sociedad en Castilla. Señores, 'poderosos' y campesinos en la España del siglo XVI* (Barcelona, 1986), 16-18, 25-32, 51-54, 69-76.
28. Ouweneel, *Onderbroken groei in Anáhuac*, 149-179, 184-191. On litigation and land conflicts one could easily compare the procedures of the colonial period with modern ones. Take the region of Oaxaca: the similarity between the colonial practice described by William B. Taylor, *Landlord and Peasant in Colonial Oaxaca* (Stanford, 1972); and Ronald Spores, *The Mixtecs in Ancient and Colonial Times* (Norman, 1984); and the contemporary practice described by Philip A. Dennis, *Intervillage Conflict in Oaxaca* (New Brunswick and London, 1987); or Philip C. Parnell, *Escalating Disputes. Social Participation and Change in the Oaxacan Highlands* (Tucson, 1988), is striking.
29. Haskett, "Indian Town Government in Colonial Cuernavaca," *passim*.
30. A. C. van Oss, *Catholic Colonialism. A Parish History of Guatemala, 1524-1821* (Cambridge, 1986).
31. A. C. van Oss, "The Ecclesiastical Colonization of Central America," in *Itinerario*, 7:1 (1983), 43-56.
32. A. C. van Oss, "Mendicant Expansion in New Spain and the Extent of the Colony (Sixteenth Century)," in *Boletín de Estudios Latinoamericanos y del Caribe*, 21 (1976), 32-56.
33. Van Oss, "Mendicant Expansion in New Spain," 44-45.
34. Van Oss, *Catholic Colonialism*, *passim*.
35. Sabine MacCormack, "Pachacuti. Miracles, Punishments, and Last Judgment: Visionary Past and Prophetic Future in Early Colonial Peru," in *American Historical Review* (hereafter *AHR*), 93 (1988), 960-1006.
36. On the cult of the dead, see the informative monograph by Hugo Nutini, *Todos Santos in Rural Tlaxcala. A Syncretic, Expressive, and Symbolic Analysis of the Cult of the Dead* (Princeton, 1988). Of interest as well is John M. Ingham, *Mary, Michael and Lucifer. Folk Catholicism in Central Mexico* (Austin, 1986), esp. 137-138.
37. Nutini, *Todos Santos in Rural Tlaxcala*, *passim*.
38. Louise M. Burkhart, *The Slippery Earth. Nahuatl-Christian Moral Dialogue in Sixteenth-Century Mexico* (Tucson, 1989), 77-85, *passim* and flap.
39. P. M. Jones, *Politics and Rural Society. The Southern Massif Central, c. 1750-1880* (Cambridge, 1985), 134-140. On death in Indian villages, see as well the 'preliminary observations' - as he calls it - of Murdo J. Macleod, "Death in Western Colonial Mexico: Its Place in Village and Peasant Life," in *The Middle Period in Latin America. Values and Attitudes in the 17th-19th Centuries*, Mark D. Szuchman, ed. (Boulder and London, 1989), 57-73.
40. Graham Greene, *A Burnt-Out Case* (London, 1968), 68; quoted by Van Oss, *Catholic Colonialism*.
41. See the essays in *Indian-Religious Relations in Colonial Spanish America*, Susan E. Ramirez, ed. (Syracuse, 1989), esp. Van Young's conclusion, pp. 87-102.
42. See also Farriss, *Maya Society under Colonial Rule*, 265-266.
43. John K. Chance and William B. Taylor, "Cofradías and Cargos: An Historical Perspective on the Mesoamerican Civil-Religious Hierarchy," in *American Ethnologist*, 12:1 (1985), 1-26.
44. See the discussion of the present paradigm in Frans J. Schryer, *Ethnicity and Class Conflict in Rural Mexico* (Princeton, 1989), especially Chapter Two, and, his, "Ethnicity and Politics in Rural Mexico: Land Invasions in Huejutla," in *Mexican Studies/Estudios Mexicanos*, 3:1 (1987), 99-126, esp. 103; Ouweneel, *Onderbroken groei in Anáhuac*, 149-179. The old paradigm in: Eric Wolf, "Closed Corporate Peasant Communities in Mesoamerica and Central Java," in *Southwestern Journal of Anthropology*, 13 (1957), 1-18;

- Nicholas Georgescu-Roegen, "The Institutional Aspects of Peasant Communities: An Analytical View," in *Subsistence Agriculture and Economic Development*, Clifton R. Wharton, Jr., ed. (Chicago, 1969), 61-93, esp. 61-65; Everett M. Rogers, "Motivations, Values, and Attitudes of Subsistence Farmers: Toward a Subculture of Peasantry," in *Subsistence Agriculture and Economic Development*, 111-135; Karen Spalding, "The Colonial Indian: Past and Future Research Perspectives," in *LARR*, 7 (1972), 47-76, esp. 58.
45. Ward Stavig, "Ethnic Conflict, Moral Economy, and Population in Rural Cuzco on the Eve of the Thupa Amaro II Rebellion," in *HAHR*, 68 (1988), 737-770, esp. 739.
46. On this concept, see Frans J. Schuurman, "Colonization Policy and Peasant Economy in the Amazon Basin," in *Boletín ELC*, 27 (1979), 29-41, esp. 37-39; S. Amin and K. Vergopoulos, *La cuestión campesina y el capitalismo* (Mexico City, 1975); Alexander Chayanov, *The Theory of the Peasant Economy*, ed. by D. Thorner et al. (Homewood, 1966). George M. Foster, "Peasant Society and the Image of Limited Good," in *American Anthropologist*, 67 (1965), 293-315, esp. 307; Eric Wolf, *Peasants* (Englewood Cliffs, 1966), 14-15; A. Z. Schejtman, "Elementos para una teoría de la economía campesina: pequeños propietarios y campesinos de hacienda," in *El Trimestre Económico*, 42 (1975), 487-508, esp. 491-497; Cynthia Hewitt de Alcantara, *Boundaries and Paradigms. The Anthropological Study of Rural Life in Post-Revolutionary Mexico* (Leiden, 1982), 95-96; David Grigg, *The Dynamics of Agricultural Change. The historical Experience* (London, 1982), 93-94. Also Eric Wolf and Edward Hansen, *The Human Condition in Latin America* (New York, 1972), 71-85, 95-99, and *passim*.
47. Eric Wolf, "The Vicissitudes of the Closed Corporate Peasant Community," in *American Ethnologist*, 13:2 (1986), 325-329.
48. Schryer, "Ethnicity and Politics," 104-105; Wasserstrom, *Class and Society*; Marie-Noelle Chamoux, *Nahuas de Huauchinango. Transformaciones sociales en una comunidad campesina* (Mexico City, 1987); Eric Van Young, "Conflict and Solidarity in Indian Village Life: The Guadalajara Region in the Late Colonial Period," in *HAHR*, 64 (1984), 55-79, esp. 56-57. See as well Farris, *Maya Society under Colonial Rule*; Karen Spalding, *Huarochiri. An Andean Society under Inca and Spanish Rule* (Newark, 1982). Two essays on the *repartimiento de comercios* are especially illustrative: Horst Pietschmann, "Agricultura e industria rural indígena en el México de la segunda mitad del siglo XVIII," and Danièle Dehouve, "El pueblo de indios y el mercado: Tlapa en el siglo XVIII," both in *Empresarios, indios y estado. Perfil de la economía mexicana (Siglo XVIII)*, Arij Ouweneel and Cristina Torales Pacheco, eds. (Amsterdam, 1988), pp. 71-85 and 86-102. In my study *Onderbroken groei in Anáhuac I* I concluded that the village economy had entered a initial phase of proto-industrialization, pp. 108-148.
49. Alan Macfarlane et al., *Reconstructing Historical Communities* (Cambridge, 1977), 1. He refers to F. Tönnies, *Community and Association*, 1887, translated into English in 1955. Also Macfarlane's "Peasants. The Peasantry in England before the Industrial Revolution - a Mythical Model," in his stimulating *The Culture of Capitalism* (Oxford, 1987), 1-24.
50. Jones, *Politics and Rural Society*, 107-109.
51. Peter Laslett, *The World We Have Lost - further explored* (London, 1983), 54-79, quote from 79. Also Jones, *Politics and Rural Society*, 112, 118, 144; R. A. Butlin, *The Transformation of Rural England, c. 1580-1800: A Study in Historical Geography* (Oxford, 1982), 32-33; Lutz Berkner, "The Stem Family and the Development Cycle of the Peasant Household: An Eighteenth-Century Austrian Example," in *AHR*, 77 (1972), 398-417, "Inheritance, Land Tenure and Peasant Family Structure: A German Regional Comparison," in *Family and Inheritance. Rural Society in Western Europe, 1200-1800*, J. Goody, J. Thirsk and E. P. Thompson, eds. (Cambridge, 1976), 71-95; Alain Collomp, "From Stem Family to Nuclear Family: Changes in the Coresident Domestic Group in Haut-Provence Between the End of the Eighteenth and the Middle of the Nineteenth Centuries," in *Continuity and Change. A Journal of Social Structure, Law and Demography in Past Societies* (hereafter CaC), 3:1 (1988), 65-81, "Alliance et filiation en Haute-Provence au 18e siècle," in *Annales ESC*, 32 (1977), 445-477, and "Tensions, Dis-

sensions, and Rupture Inside the Family in Seventeenth- and Eighteenth-Century Haute Provence," in *Interest and Emotion. Essays on the Study of Family and Kinship*, Hans Medick and David W. Sabean, eds. (Cambridge, 1984), 145-170; Margaret Spufford, *Contrasting Communities. English Villagers in the Sixteenth and Seventeenth Centuries* (Cambridge, 1974); J. W. Shaffer, *Family and Farm. Agrarian Change and Household Organization in the Loire Valley, 1500-1900* (New York, 1982); Richard Wall, "Leaving Home and the Process of Household Formation in Pre-Industrial England," in *CaC*, 2:1 (1987), 77-101; B. H. Slicher van Bath, *Een samenleving onder spanning. Geschiedenis van het platteland in Overijssel* (Assen, 1957; reprint, Utrecht, 1977); David-Sven Reher, "Old Issues and New Perspectives: Household and Family within an Urban Context in Nineteenth-Century Spain," in *CaC*, 2:1 (1987), 103-143; Myron P. Gutmann, *Toward the Modern Economy. Early Industry in Europe, 1500-1800* (New York, 1988). On psychological bonds, see the essays in *Altruism and Helping Behavior. Social Psychological Studies of Some Antecedents and Consequences*, J. Macaulay and L. Berkowitz, eds. (New York, 1970); Leonard Berkowitz, *A Survey of Social Psychology* (Hillsdale, 1975); Carl E. Schorske, "Generational Tensions and Cultural Change: Reflections on the Case of Vienna," in *Daedalus*, 4 (1978), 111-122; Charles M. Radding, "Evolution of Medieval Mentalities: A Cognitive Structural Approach," in *AHR*, 83 (1978), 577-597.

52. On the characteristics of communities I will follow the discussion in David W. Sabean, *Power in the Blood. Popular Culture and Village Discourse in Early Modern Germany* (Cambridge, 1984), esp. 1-36.

53. Sabean, *Power in the Blood*, 29; also 27-30 in general.

54. I am not only indebted to David Sabean for his approach to *Herrschaft* in the German South-west, but to other Germanic historians as well, who are quite sophisticated in their approach to power relations. See, for example, Thomas Robisheaux, *Rural Society and the Search for Order in Early Modern Germany* (Cambridge, 1989); Peter Blickle, *Deutsche Untertanen: Ein Widerspruch* (Munich, 1981); Heide Wunder, *Die bäuerliche Gemeinde in Deutschland* (Göttingen, 1986); Volker Press, "Herrschaft, Landschaft und 'Gemeinder Mann' in Oberdeutschland vom 15. bis zum frühen 19. Jahrhundert," in *Zeitschrift für die Geschichte des Oberrheins*, 123 (1975), 169-214. On *Herrschaft* and 'patrimonial domination' also: Max Weber, *Wirtschaft und Gesellschaft: Grundriss der verstehenden Soziologie*, Johannes Wickelmann, ed. (5th ed., Tübingen, 1985), esp. pp. 122-176.

55. Sabean, *Power in the Blood*, 20-27.

56. See Ouweneel, *Onderbroken groei in Anáhuac*, 168-178. For Peru, see Stavig, "Ethnic Conflict," 755-756.

57. Robisheaux, *Rural Society*, 147-174. On the moral economy versus political economy see E. P. Thompson, *The Making of the English Working Class* (New York, 1963). The idea was partly based on R. H. Tawney's *The Agrarian Problem in the Sixteenth Century* (London, 1912). Also George Rudé, *The Crowd in History* (New York, 1964), and his *Ideology and Popular Protest* (New York, 1980). Thompson reissued and structured his ideas in his "The Moral Economy of the English Crowd in the Eighteenth Century," in *Past and Present*, 50 (1971), 76-136. Also: Barrington Moore Jr., *Social Origins of Dictatorship and Democracy. Lord and Peasant in the Making of the Modern World* (Harmondsworth, 1966); James Scott, *The Moral Economy of the Peasant. Rebellion and Subsistence in South East Asia* (New Haven, 1976); Giovanni Levi, *Inheriting Power. The Story of an Exorcist* (Chicago, 1988). For Latin America: John Leddy Phelan, *The People and the King. The Comunero Revolution in Colombia, 1781* (Madison, 1978); Anthony McFarlane, "Civil Disorders and Popular Protest in Late Colonial New Granada," in *HAHR*, 64 (1984), 17-54; Erick Langer, "Labor Strikes and Reciprocity on Chuquisaca Haciendas," in *HAHR*, 65 (1985), 255-278; Brooke Larson, *Colonialism and Agrarian Transformation in Bolivia. Cochabamba, 1550-1900* (Princeton, 1988); John Tutino, *From Insurrection to Revolution in Mexico. Social Bases of Agrarian Violence, 1750-1940* (Princeton, 1986); Stavig, "Ethnic Conflict"; Schryer, *Ethnicity and Class Conflict in Rural Mexico*.

58. Thompson, "Moral Economy," 78-79. Rudé, *Ideology*, 28. On the motivation of the state to behave accordingly, see the second chapter of Abram de Swaan, *In Care of the State. Health Care, Education and Welfare in Europe and the USA in the Modern Era* (Cambridge, 1988).

59. R. A. Wykstra, *Introductory Economics* (New York, 1971), 21-22. A similar argument can be found in Keith Tribe, *Land, Labour and Economic Discourse* (London, 1978). Also Thompson, "Moral Economy," 79; Scott, *Moral Economy*, 2-3, 5-12, 29-55, 157-192; Moore, *Social Origins*, 468-470, 497-498. On popular culture: Robert Muchembled, *Culture populaire et culture des élites dans la France moderne (XVe-XVIIIe siècle)* (Paris, 1978); Peter Burke, *Popular Culture in Early Modern Europe* (London, 1978); Phillip Hoffman, *Church and Community in the Diocese of Lyon, 1500-1789* (New Haven, 1984); Carlo Ginzburg, *Miti, emblemi, spie: morfologia e storia* (Turijn, 1986); Willem Frijhoff, "Cultuur en mentaliteit: over sporen, tekens en bronnen," in *Balans en Perspectief. Visies op de geschiedwetenschap in Nederland* (Groningen, 1987), 189-204, esp. 192; M. Baxandall, *Painting and Experience in Fifteenth-Century Italy* (Oxford, 1972); Michael A. Gismondi, "'The Gift of Theory': A Critique of the 'Histoire des Mentalités'," in *Social History*, 10 (1985), 211-230; A. Mitzman, "Sociability, Creativity and Estrangement: A Psycho-historical Approach to Michelet and Flaubert, or History as Epos and Anti-Epos," in *Geschiedenis, psychologie, mentaliteit. Negen discussiebijdragen*, M. Damen et al., eds. (Amsterdam, 1982), 101-116, esp. 102.

60. Mann, *Sources of Social Power*, 51-55.

61. Ouweneel, *Onderbroken groei in Anáhuac*, 40-41; James Scott, "Exploitation in Rural Class Relations, a Victim's Perspective," in *Comparative Politics* (1975), 489-532, esp. 494, and his *Weapons of the Weak. Everyday Forms of Peasant Resistance* (New Haven, 1985).

62. Horst Pietschmann, "Alcaldes mayores, corregidores und subdelegados. Zum Problem der Distriktsbeamten im Vizekönigreich Neuspanien," in *Jahrbuch für Geschichte von Staat, Wirtschaft, und Gesellschaft Lateinamerikas* (hereafter *JbLA*), 9 (1972), 173-270, "Der *Repartimiento*-Handel der Distriktsbeamten im Raum Puebla im 18. Jahrhundert," in *JbLA*, 10 (1973), 236-250, "Dependencia-Theorie und Kolonialgeschichte. Das Beispiel des Warenhandels der Distriktsbeamten im kolonialen Hispanoamerika," in *Lateinamerika. Historische Realität und Dependencia-Theorien*, Hans-Jürgen Puhle, ed. (Hamburg, 1977), 147-167, and "Agricultura e industria rural indígena en el México de la segunda mitad del siglo XVIII," cited above (note 47).

63. See Ouweneel, *Onderbroken groei in Anáhuac*, 196-204, for a first approximation. R. Hassig, *Trade, Tribute, and Transportation. The Sixteenth-Century Political Economy of the Valley of Mexico* (Norman, 1985). Some fifteen years ago, similar words were written for *hacienda*-research by Magnus Mörner, "The Spanish American Hacienda: A Survey of Recent Research and Debate," in *HAHR*, 53 (1973), 183-216, esp 215-216.

64. Wachtel, "The Indian and the Spanish Conquest." Pierre Bourdieu, *Outline of a Theory of Practice* (Cambridge, 1977). Interesting in this respect is Pico Iyer, *Video Night in Kathmandu and Other Reports From the Not-so-Far East* (New York, 1988).



Part One

Land Tenure

Colonial Indian Corporate Landholding: A Glimpse from the Valley of Puebla

URSULA DYCKERHOFF*

Rautenstrauch-Joest Museum Cologne

According to generally accepted opinion, the Indian and peasant villages of Mexico and Middle America have their origin and basis in land which is owned collectively by the inhabitants of a village or a constituent part of it. This is usually considered as a continuation of corporate or collective landholding patterns that existed in pre-Hispanic times. Studies published in recent years have shown, however, that pre-Hispanic land tenure in Central Mexico was far more complex and regionally differentiated than previously supposed. So it is generally but not correctly supposed that all Indians owned corporate land since pre-Hispanic times. By inference, the historical developments which led to the Indian or peasant communities of the present time or the last century cannot be assumed to have been identical everywhere in Central Mexico.

The following considerations of such differences in pre-Hispanic social pattern as well as in colonial circumstances are based on ethno-historical studies of communities in the modern state of Puebla. They concentrate on the pre-Hispanic *señorío* of Huexotzinco and neighboring areas where I have conducted both fieldwork and archival research. In addition, the results of studies of Tecali, Tepeaca and Cuauhtinchan farther to the south, and on other places, are included.¹

PRE-HISPANIC SETTLEMENTS AND LANDHOLDINGS

In pre-Hispanic Huexotzinco the settlement unit called *pueblo* (village) consisted, as it did elsewhere in Central Mexico, of constituent

* This chapter is an extended version of a paper read in 1985 at the 45. International Congress of Americanists in Bogotá, Columbia, in the symposium on "Land and Politics in Central Mexico. Comparative Aspects." It was published in a slightly different version in: *Memorias 45^o. Congreso Internacional de Americanistas. Etnohistoria e historia de las Américas* (Bogotá, 1988), 17-32. Research has been aided by various grants from the German Research Board (DFG) in the years 1971-1975. I am indebted to Frederic Hicks for the formulation of most of the definitive English version.

parts called *barrios* (wards) in Spanish, each with a name of its own. Two different kinds of *barrios* can be distinguished on the basis of their social composition and their size.²

Type A. This type of *barrio* was small. It had, in 1560, an average population of from 20 to 50 commoners and was in many instances also called a *calpulli*. These *calpulli* were composed of commoners with land of their own, who made up, in the core area of Huexotzinco, as much as 50 percent of the married tributaries. There are reasons to believe that the term *calpulli* in Huexotzinco designated the same type of social entity as described by Reyes in Cuauhtinchan: they were people of Toltec origin, who held land collectively and were headed by an elder who was considered a *principal* or *noble*. In addition to the commoners with own, collectively held *calpulli* land, a few *terrazgueros* living on land belonging to the nobles were sometimes included in the same *barrios*. Most *barrios* in addition had inhabitants who belonged to the upper stratum, the nobles. The more or less nucleated center of a village was formed by one or various of these *barrios*, while others belonging to the same village were situated in a certain distance from it -sometimes quite a long distance. Most of these small entities disappeared during the Spanish period. This type of settlement was characteristic of the core area of Huexotzinco and probably also of the central area of Calpan.³

Type B. This type of *barrio* was never called *calpulli*. These *barrios* were inhabited exclusively or mainly by *terrazgueros*, i.e. commoners living on the land of a noble and serving him, and they were large, with a hundred or more commoners each. The number of nobles in each *pueblo* with *Type B* *barrios* is considerably lower than in those with *Type A* *barrios*, and the nobles do not live in the locally-separated *barrios*. In Huexotzinco, *barrios* of *Type B* prevail in the Valley of Tetzmelucan and are the only type in the Valley of Atlixco, where no landholding commoners at all are registered. Almost every *barrio* constituted a settlement of its own, be it the center of the *pueblo* itself whose name it bore, or lying at some distance, and has survived as such to the present, or at least until the nineteenth century. In both these peripheral areas of Huexotzinco, the huge extensions of land worked by the *terrazgueros* belonged partially to the local elite, but mainly to the noble lineages (*teccalli*) of the core area. The nobles did not own land in continuous stretches, but rather, each of them had lands in different parcels distributed over the whole area. In the core area of Huexotzinco, large *barrios* inhabited exclusively by *terrazgueros* occurred only in a few villages, and in most cases they were recent immigrants. In some other large *barrios* of the core area, there was a certain proportion of landholding commoners as well as *terrazgueros*.⁴

The pattern of land tenure in which all of the commoners are *terrazgueros* (*Type B* *barrios*) is described for Tecali and Tepeaca, both

of which were dependent parts of Cuauhtinchan in earlier times. In Cuauhtinchan at the time of the conquest, all the commoners were *terrazgueros*. In former times there had been landholding *calpulli* as well, who had come from Cholula, but their lands had later been usurped by the nobles. The discontinuous distribution of noble landholdings and the large *terrazguero* population was the result of Chichimec (and perhaps also earlier) conquests, and domination by them after they settled in the area, where they formed the main noble stratum. Although no explicit historical data are extant for the Valley of Tetzmelucan, it may be supposed that the historical development there was the same. The noble stratum was composed of lineages or noble houses (*teccalli*) which constituted the landholding units and on which depended the lesser nobles. The *terrazgueros* enjoyed only the usufruct of the land and were obliged to render services and tribute to the owner.⁵

In Tlaxcala, the existence of both types of *barrios* may be supposed because it had an immigration history similar to that of Huexotzinco and the southern areas. In Cholula, where no similar details are available, the situation was different in that there was a very compact and densely populated town, with a relatively small rural area. One may infer from its local history, which tells of the immigration of various *calpulli*, that settlement units of *Type A* may have predominated. On the other hand, Carrasco supposes that in the outlying villages of Cholula a good part of the inhabitants were *terrazgueros* of nobles living in the town. Thus the number of *Type B barrios* may have been considerable in the rural parts of Cholula.⁶

Before the Conquest Indian villages had no well-defined boundaries. This is understandable in view of the patterns of land tenure that have been described, where nobles living in various places in some cases owned all the land around a village. For Tepeaca, where no landholding commoners existed, it is stressed that *barrios* did not constitute territorial units. It seems that fixed boundaries of the *cabecera* domains -as we know them from Tlaxcala, Cholula and other places- were introduced only during the first decades of the colony. The long lists of limiting points enumerated in such sources as the *Anales de Quauhtitlan* or the *Historia Tolteca Chichimeca* designate the frontiers of the pre-Hispanic political states as wholes. The famous maps described by Torquemada, in which the lands of a village were painted to show their allocation to different uses, may have stemmed from some concrete situation, probably a settlement with *Type A barrios*, and should not be regarded as general.⁷

The existence of Indian settlements without their own land at the outset of the colonial era makes clear that Indian land retention is not the only point of view from which colonial developments have to be considered. It raises the question of how such villages turned into landholding rural communities and how they came to adopt the corporate form of landholding for which they had no direct precursor.

This question might be relevant not only for the region under consideration here but for other parts of Mexico as well.

LEGAL ASPECTS AND SPANISH INTERFERENCE WITH THE INDIAN SYSTEM

With the exception of the holdings of the temples and the so-called *Tierras de Moctezuma* in the regions previously conquered by the Aztecs, Spanish colonial law respected Indian landholding in whatever form it presented itself to the European conquerors. Two fundamental types of land were recognized: individually and corporately owned land. In early Spanish times the different pre-Hispanic types of landed property linked to members of the Indian nobility were more or less quietly transformed into private property, which was the prevailing European notion of land tenure. Among Indian commoners as well, the idea of individually owned land which was considered a commodity gained recognition.

Individual Indians (in fact nearly always nobles), as well as Indian communities, could gain official recognition and safeguard their rights to their land by royal confirmation. As far as communities were concerned, the general term for them in legal and administrative parlance was *pueblo (de indios)*. The term is ambiguous: it meant the totality of a pre-Hispanic political unit or *señorio*, represented by its colonial government, as well as a single settlement or, more often, the municipality—that is, the settlement configuration consisting of a main village (*cabecera*) and its subordinate villages or hamlets (*suje-tos, barrios, estancias*), including all its inhabitants. This ambiguity is a potential source for imprecise interpretations of colonial situations by modern scholars.

The process of adaptation of Indian society to colonial conditions was accelerated by some administrative steps which interfered with the existing patterns and had profound influences on the emergence of colonial peasant communities.

Land Allotments to Macehuales

Several times Spanish authorities attempted to remedy by acts of land distribution the deplorable situation in which they found many of the Indian commoners, or *macehuales*, without land of their own and who were exposed to the arbitrariness of their noble masters. Little documentary data on these viceregal actions has, however, come to light. One such action was carried out in Huexotzinco in 1554-1555. Here, the commoners without land each received a plot of 80x20 *varas* (corresponding to 0.92 ha) from the nobles. The transaction was authenticated later by a letter of donation, naming the commoner and stating his right to bequeath it to his descendents. As compensation to the noble, the commoner was obliged to work additionally a parcel of 20x20 *varas* for that noble, in a form comparable to share cropping.

Although these commoners were certainly the same ones who were counted as *terrazgueros* in the *Matrícula de Huexotzinco* of 1560, the personalized form in which the allotments were carried out probably constituted a significant step towards the evolution of the idea of individual landholding within the commoner group. This is reflected by the fact that in later years land was sold to Spaniards and Indians alike, not only by nobles, but also by commoners, even in the region with predominantly *terrazguero* population.⁸

The policy of land allotment had already been initiated by Viceroy Mendoza (1535-1550). The largest action of this kind took place in the Valley of Toluca, where Aztec interference in local conditions had been particularly intensive. It involved a complete assessment of land of all the villages and people concerned, and plots were also allotted to the public institutions. Indian judges were sent for land distribution also to Tulancingo, in 1553 and in 1558 to Xaltocan. Similar actions as in Huexotzinco, but for which we have even less documentary data were taken 1571 in Tepeaca, in Cholula, and perhaps also in other places in what is today the state of Puebla.⁹

The Congregations

The first wave of congregations in the middle of the sixteenth century -carried out under the direction of the mendicant missionary orders- led generally to the founding of new towns in places hitherto not populated, but easily accessible. The new settlements were laid out according to Spanish instructions, and the people of various settlements were resettled there according to their status, with the house lots of the nobles centered around or near the plaza with its public buildings. Direct negative effects of the congregation policy are most often seen in the field of Indian landholding, though this seems more true for the later civil congregations.¹⁰ Probably more serious were the consequences in the social sphere, where the cleavage between the central new settlements and subordinate villages deepened. Data from Huexotzinco will illustrate this process: permission to move sixteen subordinate villages of the core area, with predominantly *Type A barrios*, to a new site was given in 1552, but the tribute register of 1560 shows that nearly half of the people still lived in the old places. The various social groups of the population exhibited different patterns with regard to resettlement, as the following Table I shows. These figures do not include 531 persons counted afterwards, without indicating where they lived. Among them are 42 nobles and 99 merchants. Their distribution between 'downtown' and 'in the surroundings' may be assumed, according to their social status, to correspond proportionally to the figures in the table. At about the same time a congregation was carried out in the Valleys of Tetzmelucan and Atlixco, but no details are available. In 1560, more than half the *terrazgueros* (56%) remained in the old settlements of the core area, together with most of the old and disabled, while 69 percent of the landowning

commoners had moved into the new town. Also, all the merchants, nearly all the craftsmen, and the overwhelming majority of the nobles lived in the town. The old villages thus survived with a population consisting almost exclusively of commoners engaged in agriculture, the large majority being *terrazgueros*.

Gerhard assumes that the congregations of the mid-century provoked the nobles to press more commoners into *terrazguero* status because at that time it still meant tribute exemption, and because in the better supervised new settlements men could not be hidden or otherwise avoid tribute payment. The figures from Huexotzinco in Table I show that Gerhard is not correct, since in the new settlement more landholding commoners than *terrazgueros* are registered. This is corroborated by a comparable development in Tecali.¹¹

TABLE I. VARIOUS SOCIAL STATUS GROUPS OF THE POPULATION AND THE RESETTLEMENT PROCEDURE

Social status	Ciudad de Huexotzinco (new site)	Surroundings (old sites)
Nobles	788	42
Church officials/chanters	44	1
Landholding commoners	1246	537
Craftsmen and artisans	314	8
Merchants	285	0
<i>Terrazgueros</i>	1083	1409
Widowers	100	14
Widows	314	73
Aged and sick	173	258
Total	4033	2242

Source: *Matricula de Huexotzinco*, ff. 920r-973r.

The Indian *cabildo* (town council) of Huexotzinco repeatedly promised to bring the rest of the population into the new town, but instead over time more and more Indians, mostly commoners, withdrew and settled in the old places or elsewhere. Around 1600, a second congregation concentrated the population living outside the town of Huexotzinco into a few of the existing rural settlements.¹² Similar social effects (i.e., concentration of elites and specialists in the new central settlements and social leveling in the outlying villages) may be inferred in all areas where congregations had taken place. In central and southern Puebla, between 1540 and 1564 nearly all pre-Hispanic *ca-*

beceras were involved with the second wave of congregation affecting most of them again, as it did to an even greater extent in Tlaxcala.

Cabeceras Versus Subordinate Villages

The new administrative and settlement centers which were created by the congregations showed a much higher degree of centralized power than had been the case before. While in pre-Hispanic Huexotzinco ruling *tlatoque* lived in various villages of the core area and some of them also lived in the Valleys of Tetzmelucan and Atlixco, the rotation of offices which was usual in the Spanish type *cabildo* involved only the leading noble families of the four colonial *cabeceras* of the core area, which had been moved to the new town site. Although we know little about native attitudes towards the changes produced by the early congregations, it seems that once it was clear there was no escape, the nobles accepted this new order quite willingly as it offered them more possibilities of influence in local politics and of ostentatious status celebration. A viceregal order had to be issued to make the two *alcaldes* of Huexotzinco spend at least part of their time in the peripheral secondary *cabeceras* of Atlixco and San Salvador. For the second congregation measures, the documentation is better, and shows refusal by part of the *principales* and, or, commoners for various reasons, mostly without success. In Tecali, however, the situation before congregation was already different. Because of the specific historical development, in Tecali the nobles were already settled on a concentrated pattern before the Spanish conquest.¹³

A *cabildo* constituted the official representation of all villages of the municipality. As *cabildo* members were generally nobles, their concern was not necessarily identical with those of the commoners in the villages. The subordinate villages or large isolated *barrios*, for their part, not only lacked formal representation but did not even possess a local elite which might have been able or willing to act on their behalf; with the exception, perhaps, of the more prominent of them in former times (as Tetzmelocan, Xaltepetlapan, and Chiauh-tzinco in Huexotzinco). The same pattern is evident in Tecali.¹⁴

Official representation of secondary *cabeceras* and subordinate villages in the *cabildo* of Huexotzinco began only late and slowly, and the general discontent led finally to separations from the *cabecera*, beginning 1744 in the Valley of Tetzmelucan with the sub-*cabecera* San Salvador, followed by Chiauh-tzinco and other villages. The same processes may be observed in Cholula and were present also in smaller *cabeceras* such as Calpan. Prior to this act, of course, a local elite had developed which negotiated the separation. At that time the jurisdiction in the Valley of Atlixco had already been definitely separated in 1631 from Huexotzinco, under the influence of the Spanish Villa de Carrión (Atlixco). A successful separation and constitution of a *República de Indios* by its own was evidenced by the viceregal order to elect a *gobernador*, who was responsible for the tribute, and to

establish a *caja de comunidad* (community treasury). A law of 1618 regulated the number of officials according to the village's size, probably in order to avoid excesses; but it seems that the law also had the indirect effect of giving a legal basis to the corresponding pretension of Indian villages which up to then had no officials of their own. Viceregal orders issued in the sixteenth century concerning the establishment and handling of a *caja de comunidad* are often ambiguous with respect to the type of '*comunidad*' or '*pueblo*' they refer to. This is recognized by Zavala y Miranda; their text refers to the official community treasuries administrated by the *cabildo*, but seems to imply all communities, independently of their status. There is as yet no definite answer to the question if, when, and how *cajas de comunidad* appeared in subordinate villages.¹⁵

Nevertheless, it seems clear that the centralization of political administration had perhaps the strongest -though indirect- consequences in the field of Indian landholding.

CATEGORIES OF CORPORATE INDIAN LANDHOLDING

The consequences of the Spanish centralization policy can be demonstrated in the light of corporate landholding in Huexotzinco and neighboring areas. Spanish law recognized various forms of corporate landholding with different legal status and practical use. Nevertheless, they are often lumped together under the heading of 'communal lands' (*tierras comunales*), and thus a false picture of Indian landed property is given; a confusion of different types of communal lands that was transplanted into modern studies.

Ejido and Dehesa

The concepts of *ejido* and *dehesa* were introduced by the Spanish administration as public lands which belonged to the basic outfit of a town. They were destined for the common use of the people, mainly for the grazing of cattle and horses. *Dehesa* and *ejido* were inalienable and not to be allocated individually or used for agriculture. A royal instruction of 1573, repeated in 1618, ordered that *ejidos* of one league in length be established for Indian towns. *Dehesa* does not appear in any of the material consulted, though Viceroy Velázquez, under whom the main religious congregations were carried out, mentions to have allocated land for *ejido* and *dehesa* to many villages.¹⁶

Early colonial practice apparently conceded *ejidos* only to the main *cabecera* villages, perhaps only to those which simultaneously were the head of a Spanish administrative province and seat of the Spanish *corregidor* or *alcalde mayor*. Thus in the province of Huexotzinco, only the town of Huexotzinco itself received an *ejido* at the time of its founding, although later viceregal instructions for the congregations around 1600, as well as royal orders for the later *composiciones*,

considered its establishment in the villages. Calpan never possessed one. San Salvador apparently did not apply for *ejido* after it became a *cabecera* of its own in 1744, probably because it saw no chance of receiving one in the tight land situation in the Valley of Tetzmelucan. In the eighteenth century *ejido* land was handled in the same way as *propios*.¹⁷

Propios: The Land of the Community Treasury

The *propios* or *bienes del concejo*, were public properties which formed part of the community treasury. They served as financial base for the administration of the municipality, and the proprietor was the council or *cabildo* as a juridical person. Strict rules regulated what use might be made of its proceeds. Land of the treasury was not used by individual Indians for subsistence agriculture. The legal characteristics of *propios* as land of the treasury automatically forbade subordinate villages—that is, villages that were not *cabecera* and thus not responsible for tribute affairs—to possess *propios*. The landed possessions of the community treasury were frequently referred to also as *bienes de comunidad*, *tierras de (la) comunidad* or *tierras comunales*, expressions which blurred the distinction from other forms of corporately held land. López Sarrelangue distinguishes between *propios* and *bienes de comunidad*, with a corresponding distinction between *ayuntamiento* (the municipal government) and *comunidades* (communities) as administrative bodies. She uses the term *comunidad* apparently synonymous with *pueblo*. As will be shown, the difference between the two terms is not that precise, but more of a casual or temporal nature. A document from 1716 states, for example, "*sin excepción de personas, ni comunidades*," and comprises thus the whole range of landholding entities under *comunidad*.¹⁸

A royal ordinance from 1523 decreed that land for *propios* had to be set apart when a new settlement was founded. Nevertheless, *propios* were not delimited automatically when Indian towns were founded in the course of the congregations, not to speak of the old townships. This means that the Indian towns themselves had to procure *propios*. Documentary evidence shows the very different attitude of Indian *cabildos* and leading nobles towards the acquisition of *propios*. In Tecali, land for *propios* was donated by *caciques*. In Huexotzinco around 1575 the *cabildo* was accused to have sold community property in the Valley of Atlixco to Spaniards, while in Calpan some years later the *cabildo* defended illegal fund raising from the commoners with the argument that they needed the money to pay for the formalities in the *Audiencia* to procure land for *propios*.¹⁹

Generally, land or similar possessions (mills, rest houses on the main roads, etc.) for *propios* were conceded after application as royal grants (*mercedes*) with the condition they should not be sold. In Huexotzinco, Calpan, and Huaquechula, such grants of land "*para la comunidad del pueblo*" were given around the end of the sixteenth cen-

ture. In later times *propios* had to be bought as no land available for royal grants was left. Generally, *propios* in land and other real estate were rented after public auction to the highest bidder. The amount of *propios* was an indication of the wealth of the town treasury, but not of the base of subsistence of the Indian population.

A list from Huexotzinco from 1798, together with one from 1704 from the jurisdiction of Villa de Carrión (Atlixco), show the unequal results with which *cabeceras* had tried to obtain and retain treasury land (in both lists called *bienes de comunidad*), and how they utilized it. These documents confirm that the subordinate villages did not possess this category of communal land, as all the *pueblos de indios* mentioned in the comprehensive lists are actually the few *cabeceras* or villages with governments of their own.²⁰ On the one hand, in Huexotzinco, the *cabildo* had received between 1591 and 1607 four royal grants (*mercedes*) of together 14 *caballerías* of agricultural land (ca. 600 ha) and one cattle site (*sitio de ganado mayor*) in the wooded flanks of the volcanoes. Neither the former owner of the land nor its former utilization are mentioned. By the end of the eighteenth century, parts of the land seem to have been lost; the rather insignificant remainder was rented to Spanish farmers and its poor proceeds regularly confiscated by the *Audiencia* because of tribute delay. Land around the 'mill of the community' was rented to a subordinate village. Some house lots in the town itself were given to landless Indians (who did not pay for them because of the poor quality of the soil), and some other plots were cultivated by the *gobernadores* to contribute to the maintenance of *cabildo* officials. This was censured by the Spanish authorities because "*ni debe repartirse ni darse (...) con pretexto alguno por ser bienes de comunidad (...)*." On the other hand, in relation to its size, Calpan had been far more effective than Huexotzinco in applying for *propios*, and between 1589 and 1592 received seven titles with a total of eight *caballerías* (330 ha) and five sites for small life-stock (*estancias de ganado menor*). Most of the treasury land was rented to Spaniards. The proceeds of some 780 *pesos* per year were used to pay for the church and rectory, religious feasts, public buildings such as the *casas reales* (community house), water pipe, fountain, and so on. On some other fields, the 'maize of the community' was grown until 1703-1704, when it was resolved to have each full tributary pay four *reales* instead. Around 1810 the possibilities of renting the land profitably were so bad that the *cabildo* of Calpan itself bid for it in the auction, and afterwards rented it in parcels to Indian agriculturists.²¹

Another village, San Juan Tianguizmanalco in the Valley of Atlixco, which had only recently separated from its former *cabecera* Calpan, held $\frac{1}{2}$ *caballería* of land for the 'maize of the community' and possessed two small *ranchos* which had been bought in the last quarter of the preceding century. Both *ranchos* were equipped by the community treasury and were worked by paid laborers; the small revenue was spent for the service of debts on the land, the construction of the

church, and religious feasts. Also situated in the Valley of Atlixco, Santa María de Jesús Acapetlahuacan never had possessed *propios*; the nearby *ejido* which is sometimes mentioned belonged to the Spanish Villa de Carrión. San Juan Amecaque also lacked *bienes de comunidad*. San Martín Huaquechula, an old Indian *cabecera*, owned one cattle site by merced. It was used as pasture for the animals of the inhabitants and agriculturally for cash crops, with the proceeds destined to the Community treasury. All these examples, though certainly not completely representative, presents quite a different picture of possessions and *propios*, and thus Indian community wealth, than is presented by those communities rich enough to provide large credit sums to the *Banco de San Carlos*.

TIERRAS DE COMUN REPARTIMIENTO AND THE FUNDO LEGAL

Tierras de Común Repartimiento

The *tierras de común repartimiento* were unities of land collectively owned by the members of a village or a constituent part of it. They were distributed for agricultural use and worked individually, and although they could be bequeathed, they were inalienable and supervised by the landowning community. This form of land tenure is considered characteristic for the peasant community of colonial New Spain and also for landholding commoners in pre-Hispanic time. The term *tierras de común repartimiento*, however, turns up only late, in the eighteenth century, evidently to fill a terminological gap, covered before by other, less precise, expressions such as *tierras de la comunidad* or *tierras comunales*. This fact may have induced authors to confuse *tierras de común repartimiento* with the *bienes de comunidad* or *propios*. It should be stressed that the *tierras de común repartimiento* were definitely not *propios*, because the villages did not possess *propios*. The administrative practice makes clear that this type of land did not pass disguised as *bienes de comunidad* as described above. The term '*tierra de repartimiento de los indios*' already had been used in the *Real Cédula* from 1695 on the *fundo legal*.²²

Tierras de común repartimiento should be expected in those regions where pre-Hispanic settlements with *barrios* of Type A, with landowning commoners, had existed. Documents from Huexotzinco and Cholula around 1600 mention in a very few cases plots of land in connection with the name of a *calpulli*, and show that their parcels were all grouped together in just one or a very few places. After this time, nothing is mentioned in this area which would lead us to infer collective ownership of land by *barrios* or *calpulli*. In 1794, however, seven *calpulli* still appear in a tribute list concerning the town of Huexotzinco. The usual and frequent form of reference to landowning natives as a group, namely by indication of the village they are from, gives no hint to the legal form of possession. The term *tierras de co-*

mún repartimiento seems absent in colonial documents, but in the nineteenth century villages actually practiced this form of collective land tenure. To confirm this statement based on the documentary evidence from Huexotzinco and Calpan, a large number of land documents were examined in the abstracted form in which they appear in the *Indice del Ramo de Tierras* published by the *Boletín del Archivo General de la Nación*. This series of documents constitutes a random sample with regard to region, terminology, and facts. Various eighteenth-century *legajos* concerning villages in the modern State of México refer to *tierras de común repartimiento* and, or, to the fact that before selling land it had to be proved that the plot was private property and not part of corporate land. Very precise is the formulation "no ser de comunidad ni de repartimiento." No comparable statements are made in the entries referring to the central region of the State of Puebla considered in the present study.²³

The Fundo Legal

The precursor of the later *fundo legal* is seen in a viceregal ordinance from 1567 which defined minimal distances between Indian villages and Spanish landed properties. However, at that time the decree did not lead to a systematic area measurement of existing villages. *Legal* instructions from 1687 and 1695 definitively established the distance to be 600 *varas* (502.8 m.), to be measured from the church, i.e., including the house lots. The *fundo legal* was the minimum amount of land an Indian village was entitled to; more populous villages could claim more land. It was stated that all villages—not only *cabeceras*—were entitled to it.²⁴ If the land was optimally measured (as a quadrangle), the *fundo legal* amounted to an extension of land approximately one square kilometer or 100 hectares (in colonial units, a little less than 2½ *caballerías*); the least favorable measurement gave only half that much. Compare this figure with the amount of land considered necessary in the household allotment in sixteenth century Huexotzinco: 1.15 hectares to feed the family and pay tribute or rent, plus house plots of 15x15m., *plaza*, and church with churchyard. Thus, the *fundo legal* of 600 *varas* might be considered adequate for some 73 households.

The *fundo legal* was reclaimed by most villages in the surroundings of Huexotzinco; the land for it always had to be taken from Spanish *haciendas*, because unoccupied land was not available. Therefore it met fierce opposition from Spaniards, who used the pretext that the settlements were not full-fledged *pueblos*. As a consequence, an ample market developed for falsified documents, which could be used to prove the long-standing existence of the village with a working church and the concession of land grants or the confirmations of earlier ones. Frequently, reference was made to old and lost titles to the land, which had probably never existed because of the above mentioned factual conditions during the early colonial period. Character-

istic of these falsifications is the mention of the 600 *varas* measurement combined with facts dated in the sixteenth century, which demonstrates the 'title' had been fabricated in some year after 1685. Another type of falsified title was demanded by Indian villages because of their increasing involvement with the *composiciones de tierras*, where titles to definitively-held possessions had to be displayed. It should be recognized, nevertheless, that the same situation affected many villages which had not applied for confirmation of land possessed legally since time immemorial, because the later course of events was not foreseen, or which had lost the titles once received, as was the case with Calpan in 1622. There is no indication that the additional land *legally* allocated to larger villages was ever conceded.²⁵

A rare case was the founding of a new village by the concession of the *fundo legal* to landless Indians. It happened in northern Huexotzinco in the 1790s when, because of special circumstances, a *fundo legal* was assigned to the settlement of *gañanes* of the bankrupt *hacienda* Tlahuapan, which had been in financial troubles for a long time, and ended up without regular owners owing the Indian laborers a considerable sum. No mention is made of the form of land tenure the Indians choose after the assignment of the *fundo legal* to the community, though in case of the more populous villages the allocation as *tierras de repartimiento* perhaps offered itself as the optimal form. Trautmann mentions the case of a village founded 1683 where after the assignment of a *fundo legal* all land not individually allotted was destined to "*tierras de la comunidad, montes, ejidos y pastos comunes.*" In this case probably treasury land was meant.²⁶

Land for Common Use and of Religious Institutions and Associations

Religious brotherhoods like *cofradías* as well as other religious institutions held corporate land which served to pay for their activities and the costs of the cult. Their possessions came into being mainly by legacies, but land was also purchased. Although the number of such landholding corporations was considerable the sum of their parcels was not really substantial.²⁷

Spanish law decreed that all land not used for agriculture was for common use, whether for the pasture of cattle or other uses, above all in the wooded areas. Early colonial lawsuits between Indians show clearly that borderlines between neighboring entities were recognized in the wooded areas also, but -as should be expected- only on the level of a *cabecera* or former *señorío*. Free access to and the customary use of the natural resources of non-agricultural terrain next to a village were always claimed and defended in the colonial period, but no village property resulted automatically from it. Just as with agricultural land, royal grants for the use of wooded or similar terrain for cattle grazing could be requested. They were conceded to both Spaniards and Indians, but in the region of the volcanoes, as far as In-

dians are concerned, only to Indian townships as *propios* of the *cabildo*.

CONCLUSIONS AND IMPLICATIONS

We can summarize by stating:

- 1) Not all settlements possessed land of their own in pre-Hispanic times.
- 2) Early Colonial development (congregations) led to more acephalous villages than before.
- 3) The organization and centralization of colonial native government was not favorable to subordinate villages, and it also handicapped their early defence of whatever land they happened to possess.
- 4) The legal and administrative conditions were not appropriate for the creation of corporate lands in such settlements which had lacked them before.²⁸
- 5) The term *comunidad* and its derivatives are in many cases ambiguous.
- 6) Early land titles to villages have to be regarded with extreme caution.
- 7) Only by taking the initiative and acting for themselves were villages able to set the basis for successful management of land, if only on an insignificant scale.

Despite these facts, by the end of the colonial period villages possessed land which was not part of an official treasury, nor did it owe its origin to the *fundo legal* nor had it been retained since pre-Hispanic times. What, then, was the origin of these possessions? Various answers are possible:

- 1) Indian villages had taken, in line with viceregal ordinances, the lands of people who had died in the great epidemics of the sixteenth century, including lands that had originally belonged to a noble proprietor.²⁹ This was probably only a minor factor, considering that the pre-Hispanic landholding system only broke down later, precisely because of the population losses in the epidemics, and that many villages were moved to their present locations, by congregation, only after that time.
- 2) Commoners of *terrazguero* status usurped land of nobles. Although there is proof that such efforts were made in all areas, the nobles usually defended their property successfully in the courts. Olivera does not consider this to have been a significant step towards the acquisition of village land in the region of Tecali, where *cacique* properties dominated throughout the colonial period and later.³⁰ A comparable situation may have existed in some zones of Calpan. In Huexotzinco, where the nobles themselves did not

- retain any considerable rural possessions, the usurpation of their land would have yielded very little.
- 3) The lands were originally tribute fields. At various times, and with local variations, the cultivation of maize for the royal tribute as well as for the community was ordered. This was often carried out collectively on special fields (*tierras de tributo*). Perhaps this was the origin of fields in subordinate villages termed *de comunidad* in the nineteenth century. López Sarrelangue seems to make no distinction between the tribute fields for royal tribute and for community tribute. In her opinion, tribute fields constituted a main source for the communal land of the villages. Her concern, however, is directed towards the differences between pre-Hispanic villages and colonial foundations. In Huexotzinco and adjacent regions, no documents are extant which might show the location (in each subordinate village? in some of them? in *cabeceras* only?) of the tribute fields and if both types of tribute were treated the same in this respect. In Huexotzinco, tributes were commuted into money rather early; in Calpan and Huaquechula, maize for the community tribute was cultivated until about 1703 on the treasury land (*bienes de comunidad*, i.e. *propios*) of the *cabecera*. In short, I have seen no precise mention referring to tribute land in subordinate villages.³¹
 - 4) Land donated to the village. Isolated acts of voluntary donation by Indian nobles to villages are sometimes mentioned. López Sarrelangue cites evidence (a letter by Martín Cortés, and Tlaxcala in 1803) that land donated by nobles to their *terrazgueros* to pay tribute from it was integrated into the '*fondo comunal*'. However, this does not seem to have been the general practice. As mentioned above, there are more cases that show the reluctance of nobles to let commoners get away with their land. In Huexotzinco small plots of *hacienda* land were occasionally donated by Spaniards in the eighteenth century. Later lawsuits demonstrate, however, that these donations were sometimes made with the intent to oblige villagers to work on the *hacienda*.³²
 - 5) Land bought from other Indians. Purchases by a community from noble Indians are not documented in Huexotzinco during the time noble Indians sold their land in large amounts, and the same is true for Calpan. Afterwards little was left.³³
 - 6) Land bought from *haciendas*. This happened in Huexotzinco and Calpan especially in small plots in the eighteenth century, when local Spanish landowners were in need of money. Larger transactions were sometimes vetoed by the *Audiencia*, when the *hacienda* to be bought was encumber-

ed with high debts and it was feared the purchasing community would fail with its tribute obligations because of having to make payments on these debts. Ewald describes for Huexotzinco in 1788 such an official refusal which only indirectly refers to the tribute situation, but admonishes the Indians "to save until the next occasion in order to have more cash to pay (...)." Her study illustrates very well the different reactions of the colonial administration to Indian aspirations of this kind. In another case, a village community was not allowed to make direct use of the *hacienda* it had purchased, but was forced to employ an administrator, with the consequence of later mismanagement. The source of the money to pay for such land has never been adequately studied. Sometimes *sobras de tributo*, the flow back of a surplus of tribute payments, are credited for it (among others by López Sarrelangue). In Huexotzinco, and probably in many other places as well, the tribute debts were always high and *sobras de tributo* a rare event. A document of 1618 from San Salvador el Verde (Huexotzinco) refers to the flow back of the *sobras del común* (the remainder of the tribute to the community) to the village; however, they were to be employed as usual for the upkeep of public buildings, here the church. In the Huexotzinco region, it seems, it was the men's work on the *haciendas* which brought money to the community.³⁴

None of these possibilities should be considered the only and definite answer to the question of how colonial village land came into being if it was not retained from the pre-Hispanic period. But all of them have to be evaluated from a local perspective, that is, specific areas with a common ecological and political basis. Even between areas rather close together, such as Tecali and Tepeaca, or Atlixco and parts of Huexotzinco, with identical pre-Hispanic structures, the impact of the Spanish system was different, and led to different conditions up to the era of Independence and later. During the eighteenth century in Tecali, and probably also in Cuauhtinchan, *haciendas* in the possession of local Indian *cacique* families predominated.³⁵ At the same time in Tepeaca, the Valley of Atlixco, and Huexotzinco, Spanish-owned possessions had reduced Indian landholdings in general and those of many villages to little more than the *fundo legal*. In Huexotzinco, the eighteenth century was a period marked by a contracted agricultural market and corresponding *hacienda* decline, which allowed villages to compete successfully for the acquisition of land, if only in small pieces.³⁶

But how were villagers able to respond to such changes in the colonial economy? Little is known as yet about the circumstances of life in the rural villages during the colonial period, about the means of livelihood which allowed villagers to raise funds for the defense or purchase of land, and about the evolution of a local elite.³⁷

ENDNOTES

1. Mercedes Olivera Bustamante, *Pillis y macehuales. Las formaciones sociales y los modos de producción de Tecali del siglo XII al XVI* (Mexico City, 1978); Hildeberto Isaias Martínez Martínez, "Tepeaca en el siglo XVI. Tenencia de la tierra y organización de un señorío" (Tesis profesional, Universidad de Kalapa, 1977); Luis Reyes García, *Cauhtinchan del Siglo XII al XVI. Formación y Desarrollo Histórico de un Señorío Prehispánico* (Wiesbaden, 1977).

2. Ursula Dyckerhoff, "La estratificación social en Huexotzinco. Aspectos generales y regionales de la estratificación social," in *Estratificación social en la Mesoamérica prehispánica*, Pedro Carrasco and Johanna Broda, eds. (Mexico City, 1976), 157-177, esp. 161. In Huexotzinco, all integrating parts of a *pueblo* were designated as *barrios*; the term *estancia* is not used in this context; compare Charles Gibson, *The Aztecs under Spanish Rule. A History of the Indians of the Valley of Mexico, 1519-1810* (Stanford, 1964), 33, 35 for other usages.

3. Reyes, *Cauhtinchan*, 122. For more numerical details on the commoners with and without their own land in the different villages of Huexotzinco, see Dyckerhoff, "Estratificación," 168, 169; and Hanns J. Prem, *Milpa y hacienda. Tenencia de la tierra indígena y española en la cuenca del alto Atoyac, Puebla, México (1520-1650)* (Wiesbaden, 1976), 60. For a general review of commoner landholdings, see H. R. Harvey, "Aspects of Land Tenure in Ancient Mexico," in *Explorations in Ethnohistory; Indians of Central Mexico in the Sixteenth Century*, Herbert R. Harvey and Hanns J. Prem, eds. (Albuquerque, 1984), 83-102, esp. 86ff. The physical aspect of this type of settlement seems to be well represented in the so-called *Map of Chichimec History*, which shows the settlement pattern of Neopopolco (*barrio* of the *cabeceros* of Almoyahuacan in Huexotzinco) with a rather loose building distribution with houses of nobles as well as of commoners. The map is of Colonial origin and certainly not as authentic as it wants to appear, but probably reliable in this respect, see Hanns J. Prem, "The 'Map of Chichimec History' Identified," *Atti del XL Congresso Internazionale degli Americanisti* (Genova, 1973), I, 447-452, esp. 448.

4. Dyckerhoff, "Estratificación," 161. Some of the *terrazgueros* in the Valley of Tetame-lucan stated in 1560 that they had acquired additional land by purchase, see *Matrícula de Huexotzinco* (Bibliothèque Nationale Paris, Ms.Mex. 387), f.826v and passim; the *Matrícula* was published by Hanns J. Prem (Graz, 1974). A certain proportion of landholding commoners as well as *terrazgueros* can be found in San Luis Coyotzinco, which in the core area is an exception with regard to size and composition of its *barrios*. In three *barrios*, the landholding commoners numbered only between 18 percent and 27 percent of a total population of 130 to 200, though one of them, Coyotzinco, was designated also as *calpulli*. In the fourth and smallest *barrio*, Tlamaoco, with one hundred commoners, the landholding commoners amounted to 67 percent, see *Matrícula de Huexotzinco*, f.563r-580v.

5. Olivera, *Pillis y macehuales*, 50 et passim, 64ff, 147; Martínez Martínez, "Tepeaca," 107; Reyes García, *Cauhtinchan*, 118, 122, 24, 106.

6. The studies on Tlaxcala do not contain any detailed description regarding this question, but Muñoz Camargo described the noble lineages and their dependents with only slight differences from the situation in the other areas. The findings of Carrasco are in "Los barrios antiguos de Cholula," *Estudios y Documentos de la Región de Puebla-Tlaxcala*, 3 (1971), 9-88, esp. 68.

7. Martínez Martínez, "Tepeaca," 49, 152. Of Torquemada, see Fray Juan de Torquemada, *Primera (segunda, tercera ...) parte de los 21 Libros Rituales y Monarquía Indiana* (1723, fasc. Mexico City, 1969), II, 546.

8. Pedro Carrasco, "Documentos sobre el rango de Tecuhtli entre los Nahuas Tramontanas," in *Tlalocan*, 5:2 (1966), 133-160, esp. 147; and, Prem, *Milpa y hacienda*, 55ff. The noble owner provided the seed for the additional parcel. He received the crop which was to be carried to his home if it was not more than 3 leagues from the field. The fact of the commoners as *terrazgueros* in the *Matrícula* might be explained by the intention to gain tribute exemption for this group, but there is more reason to believe that the nobles had

considered the so-called land allotment rather as a measure of standardization of parcels and of payments in kind. A couple of years later the nobles in Huexotzinco were considerably troubled and preoccupied by rumors of a new act of land allotment, see *Codex Chavero*, Manuscript, AH-Colec. Antigua 259, Museo Nacional de Antropología, Mexico City, f. 130r, 130v; compare also Prem, *Milpa y hacienda*, 55ff.

9. Rosaura Hernández Rodríguez, "El Valle de Toluca. Su historia, época pre-hispánica y siglo XVI," in *Boletín de la Sociedad Mexicana de Geografía y Estadística*, 74:7 (1952), esp. 99, 103; also Archivo General de la Nación (AGN), Mercedes, vol. 48, exp. 38; Newberry Library-Ayer Collection 1121:245; Martínez Martínez, "Tepeaca," 49; Carrasco, "Barrios," 67, 68.

10. Peter Gerhard, "Congregaciones de Indios en la Nueva España antes de 1570," in *Historia Mexicana*, 26 (1977), 347-395, has the most extensive treatment, and shows the magnitude of the enterprise (he discusses Puebla and Tlaxcala on pp. 358-362). Compare the instructions for the founding of new towns and references to the realization of the congregation in Acatzingo, Puebla, in Pedro Carrasco, "Más documentos sobre Tepeaca," *Tlalocan*, 6:1 (1969), 1-37, esp. 4ff. One of the early authors to point to the negative consequences was Torquemada, *Primera*, I, 688. See also Howard F. Cline, "Civil Congregations of the Indians in New Spain, 1598-1606," in *Hispanic American Historical Review* (hereafter *HAHR*), 29 (1949), 349-369.

11. Gerhard, "Congregaciones de indios," 386 *et passim*; Olivera, *Pillis y macehuales*, 148.

12. Ursula Dyckerhoff, "Patrones de asentamiento en la región de Huejotzingo. Los cambios durante la época colonial," *Comunicaciones de la Fundación Alemana para la Investigación Científica*, 7 (12973), 93-97. The second wave of congregations, the so-called civil congregations, was treated by, among others, Cline, who refers to various cases of permissions that allowed people to return to their old homes, Cline, "Civil Congregations," 356. For the region under discussion no such permissions have been found.

13. AGN, Mercedes, vol. 5, ff. 162v (1560). Compare Olivera's description of the congregation of Tecali, Olivera, *Pillis y macehuales*, 151, 197.

14. Olivera, *Pillis y macehuales*, 144ff.

15. Mercedes Olivera Bustamante, "Los barrios de San Andrés Cholula," in *Estudios y Documentos de la Región de Puebla-Tlaxcala*, 3 (1971), 89-151, esp. 93. For a general review of the establishments of *cajas de comunidad* see Silvio Zavala and José Miranda, "Instituciones indígenas en la colonia," in *Métodos y resultados de la política indigenista en México. Memorias del Instituto Nacional Indigenista*, 6 (1954), 29-112, esp. 79ff and 87; also, *Recopilación de Leyes de los Reynos de las Indias (...)* (Madrid, 1681; repr. Madrid, 1973), Libro VI, Tit. II, Ley 15, fol. 200.

16. *Recopilación*, Libro VI, Tit. III, Ley 8. In this sense, definition and legislation of the *ejido* in the colonial era is discussed by Antonio Martínez Baez, *El ejido en la legislación de la época colonial* (Mexico City, 1931, Universidad de México, vol. 2), 112-117; while W. L. Orozco, *Los ejidos de los pueblos* (2nd. ed., Mexico City, 1975), 49-51, uses *ejido* in a broader sense.

17. AGN, Ramo de Indios, vol. 6/2, fs. 268v, 273r *et passim*. The *ejido* of Huexotzinco comprised initially about 7 *caballerías* (295 ha), which were later rented out in order to better the deplorable financial situation of the town. In 1758, the *cabildo* was struggling to gain it back, see AGN, Ramo de Indios, vol. 58, f. 101.

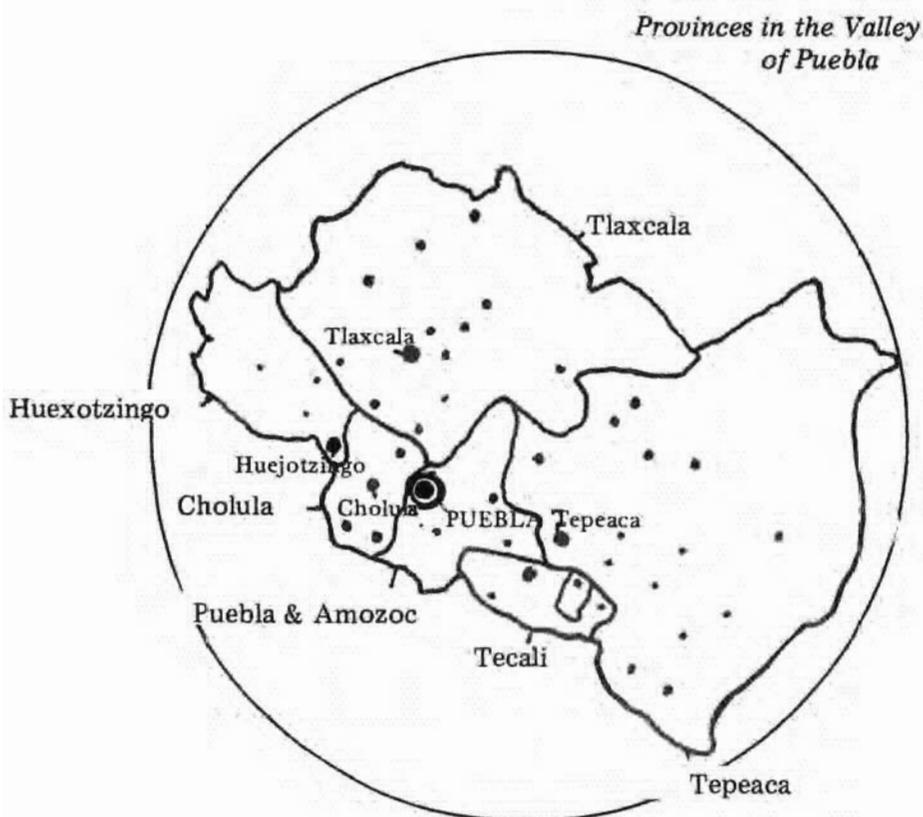
18. *Recopilación*, Libro 4, Tit. XII, Ley 2 ff; Delfina E. López Sarrelangue, "Las tierras comunales indígenas de la Nueva España en el siglo XVI," *Estudios de Historia Novohispana*, 1 (1966), 131-148, esp. 131ff; compare with Biblioteca Nacional de México (hereafter BNM), Tenencia de Tierra, Puebla, caja 3, No.210, f.1r.

19. *Recopilación*, Libro IV, Tit. VI, Ley 14; Tit.13, Ley 1; Olivera, *Pillis y macehuales*, 203; Luis Chávez Orozco, *Documentos para la historia del crédito agrícola en México. Los fondos de comunidades indígenas como fuentes del crédito agrícola en la Nueva España* (Mexico City, 1953-1958), f. 52r *et passim*; AGN, Tierras, vol. 222, exp. 1, f. 43r.

20. Instituto Nacional de Antropología e Historia (hereafter INAH), Fondo de Micropelículas, Archivo Judicial de Puebla, rollo 46, "Reparos de las cuentas de la comunidad de Huexotzinco (...) 1798"; AGN, Ramo de Indios, vol. 97, 253.
21. For a discussion of the *mercedes* to the communities of Huexotzinco and Calpan, see Prem, *Milpa y hacienda*, 96-99. The text of these land grants are not stereotyped with respect to the recipient of the *merced*: "...para propios, para bienes de comunidad, para la comunidad del pueblo de ..., para la comunidad para propios, para el común y naturales," see AGN, Mercedes, vol. 15, exp. 29, 71; 17, exp. 56; 19, exp. 50, 515; 22, exp. 307; 26, exp. 28; AGN, Intendentes, vols. 44-25, f.4r,v.
22. Compare the corresponding regulation dictated in the Valley of Toluca, 1552, see Hernández Rodríguez, *Valle de Toluca*, 104-105. Here, the earliest description of the working of this system in colonial times is to be found. Another case is described by Harvey, "Aspects of Land Tenure."
23. Cayetano Reyes García, *Índice y extractos de los protocolos de la notaría de Cholula (1590-1600)* (Mexico City, 1973), no. 1258; AGN, Mercedes, vol. 24, exp. 131; Archivo Notarías de Puebla, *Tepeaca*, 51. See Prem, *Milpa y hacienda*, 112, about average distances between the landplots of commoners and their settlement. On the seven *calpulli*, see INAH, Fondo de Micropelículas, Puebla, rollo 43. AGN, *Boletín*, 2a serie, 2-1, 156.
24. The ordinances have been published by, among others, Orozco, *Ejidotes de los pueblos*, 73ff. See Gibson, *Aztecs*, 285, Plate X, for a discussion of the various forms to measure the *fundo legal*.
25. Ursula Dyckerhoff, "Forged Village Documents from Huejotsingo and Calpan," in *Actes du XLII Congrès des Américanistes*, VII (Paris, 1979), 51-63; also, AGN, Ramo de Indios, vol. 9, 172r.
26. For a series of similar but fruitless negotiations in other parts of Puebla, see Ursula Ewald, "Versuche zur Änderung der Besitzverhältnisse in den letzten Jahrzehnten der Kolonialzeit. Bestrebungen im Hochbecken von Puebla-Tlaxcala und seiner Umgebung zur Rückführung von Hacienda-Land an Gutsarbeiter und indianische Dorfgemeinschaften," in *Jahrbuch für Geschichte von Staat, Wirtschaft und Gesellschaft Lateinamerikas*, 7 (1971), 239-251, esp. 244. Wolfgang Trautmann, *Las transformaciones en el paisaje cultural de Tlaxcala durante la época colonial; una contribución a la historia de México bajo especial consideración de aspectos geográfico-económicos y sociales* (Wiesbaden, 1981), 85.
27. Concrete examples from Tlaxcala are found in Trautmann, *Transformaciones*, 143; and from Cholula in Olivera, "Barrios de San Andrés Cholula," 103.
28. No reference has turned up with respect to the legal status of land or to its delimitation around the settlements during the congregations of about 1600 in the area investigated. Land allotments beyond the house lots are reported in other places; J. M. Pérez Zevallos, personal communication.
29. A testimony from Calpan in 1546 says, "(...) las tierras y casas de los que murieron las hubieron sus herederos e otras tomó el dicho pueblo para repartir entre ellos, porque no estuviesen baldías (...)," AGN, Hospital de Jesús, vol. 409, 10; see *Recopilación*, Lib. VI, Tit. I, Ley 30. The status of the land is not indicated.
30. Olivera, *Pillis y macehuales*, 210.
31. See López Sarrelangue, "Tierras comunales indígenas," 138ff, for details about the maize tribute from collectively worked fields. On Calpan and Huaquechula, see AGN, Ramo de Indios, vol. 97, 254ff.
32. López Sarrelangue, "Tierras comunales indígenas," 141.
33. Prem, *Milpa y hacienda*, 232 et passim.
34. Ewald, "Versuche zur Änderung der Besitzverhältnisse," 242; AGN, Tierras, vol. 245, exp. 3; López Sarrelangue, "Tierras comunales indígenas," 141; AGN, Ramo de Indios, vol. 9, 58v.
35. Olivera, *Pillis y macehuales*, 206.
36. This contrasts markedly with contemporaneous Guadalajara where the expanding agricultural market produced hitherto unknown stress on Indian communities, see Eric

Van Young, "Conflict and Solidarity in Indian Village Life; the Guadalajara Region in the Late Colonial Period," in *HAHR*, 64 (1984), 55-79.

37. Olivera, *Pillis y macehuales*, 177, whose study is the only one touching upon all these questions, assumes the leaders of the tribute gangs were the germ of later village elites. In Huexotzingo, new elites not related to the noble stratum are characterized by the name which consists of two Christian names only, while nobles of lineage have in addition to their Christian name a Spanish surname.



CHAPTER THREE

A Different Way of Thinking: Contrasting Spanish and Indian Social and Economic Views in Central Mexico (1550-1600)

RIK HOEKSTRA*
CEDLA Amsterdam

"Because you don't understand us and we don't understand you and don't know what you want. You have deprived us of our good order and system of government, [and the one you have given us we don't understand]; that is why there is such great confusion and disorder."

-The answer of an Indian *principal* of Mexico City to the question of Alonso de Zorita why the Indians litigated among themselves so much-1

INTRODUCTION

Some Lawsuits Involving Tribute Obligations

In the last fifteen to twenty years a more or less generally accepted picture of the social and economic organization of pre-Hispanic Mexico has arisen. Investigations into the transformations in the society of Central Mexico in the last half of the sixteenth century based on published and unpublished sources have led me to doubt this view of the Mexican system before the coming of the Spaniards. In this essay I want to explore these doubts and suggest another interpretation of the sources. First I will show the reasons for such doubt based upon documentary evidence. Then the interpretations which have been offered as explanations for the organization of the pre-Hispanic areas of Tepeaca and Huejotzingo will be reviewed. Following a few theo-

* I would like to thank Mr. H. E. Hoekstra, Dr. P. J. A. N. Rietbergen and Prof. Dr. B. H. Slicher van Bath for commenting on an initial Dutch version of this article. Research in Mexican archives was made possible by a fellowship of the Netherlands Organization for the Advancement of Pure Research (Z. W. O.).

CHAPTER THREE

A Different Way of Thinking: Contrasting Spanish and Indian Social and Economic Views in Central Mexico (1550-1600)

RIK HOEKSTRA*
CEDLA Amsterdam

"Because you don't understand us and we don't understand you and don't know what you want. You have deprived us of our good order and system of government, [and the one you have given us we don't understand]; that is why there is such great confusion and disorder."

-The answer of an Indian *principal* of Mexico City to the question of Alonso de Zorita why the Indians litigated among themselves so much-1

INTRODUCTION

Some Lawsuits Involving Tribute Obligations

In the last fifteen to twenty years a more or less generally accepted picture of the social and economic organization of pre-Hispanic Mexico has arisen. Investigations into the transformations in the society of Central Mexico in the last half of the sixteenth century based on published and unpublished sources have led me to doubt this view of the Mexican system before the coming of the Spaniards. In this essay I want to explore these doubts and suggest another interpretation of the sources. First I will show the reasons for such doubt based upon documentary evidence. Then the interpretations which have been offered as explanations for the organization of the pre-Hispanic areas of Tepeaca and Huejotzingo will be reviewed. Following a few theo-

* I would like to thank Mr. H. E. Hoekstra, Dr. P. J. A. N. Rietbergen and Prof. Dr. B. H. Slicher van Bath for commenting on an initial Dutch version of this article. Research in Mexican archives was made possible by a fellowship of the Netherlands Organization for the Advancement of Pure Research (Z. W. O.).

retical considerations on the social and economic structure, an alternative interpretation of the socio-economic system of Central Mexico will be presented. Finally I will turn to the implications of this interpretation for the study of change in Mexican society during the second half of the sixteenth and first half of the seventeenth centuries.

From 1567 to 1571 the *caciques* (lords) and *macehuales* (commoners; from the Nahuatl *macehuallin*; *macehualli* in the single) of Tepeaca were involved in a lawsuit before the *Audiencia* of Mexico. The case was about 'land, tribute and services' which the *macehuales* owed to the *caciques*. Summaries of the arguments of both parties run as follows: The *caciques* claimed through Alvaro Ruiz -their *procurador* (attorney)- that the *macehuales* from times immemorial supplied their ancestors and themselves with *terrazgo* and services, because they were living on their lands. The procurador of the *macehuales* -Agustín Pinto- pleaded that this indeed was the case before the Spaniards came, but now the *caciques* had lost the right to tribute because of the conquest. The *caciques* answered that the land was 'leased' (*arrendado*) to the *macehuales*, who consequently had to pay the rent (*renta*; *terrazgo*), or vacate their lands. The *Audiencia* decided in favour of the *caciques* in 1568. This judgement was upheld on appeal by the *macehuales* in 1571. But even after this date not all *macehuales* submitted to the decision and the case stayed alive for a long time.²

Cases like this took place elsewhere too: in 1571 in Tlaxcala the Viceroy ordered the *indios terrazgueros* of some *barrios* (districts; also used in the meaning of dependent village or hamlet) to submit to their *terrazgo* obligations. The 'four or five' disobedient Indians (*indios revoltosos*) were to be thrown out of their *barrios*. Another Tlaxcalan case, lasting from 1570 to 1589, involved the *terrazgueros* of Huamantla (Tlaxcala) and the Indian administration of the town of Tlaxcala. It appears from the documents that the parties had litigated before on the *terrazgo* duties. Considering the costs of these litigations the Huamantlecas agreed on an assessment (*tasación*) of the *terrazgo*, because "they lived on the land of the *principales* of Tlaxcala and Atlihuetzian and worked them." A lengthy disagreement on the weight of the *terrazgo* developed after the assessment by the *Audiencia*. It especially intensified in 1589 when part of the Huamantlecas succeeded in persuading their *principal* (Indian noble) to reduce the obligations. The other *principales* did not want to follow this example and were supported by the *Audiencia*. The *terrazgueros* who still persisted and did not want to leave the building of the *Audiencia* were sent home on pain of a whipping.³

A third case from Tlaxcala is the lawsuit of Diego Sánchez and Juan de Paz versus some *terrazgueros* on five dispersed pieces of land in San Pablo Quauhtotoatlan sized 400x80 to 400x120 *brazas*. The *terrazgueros* asserted they had no tribute obligations because the land was theirs. The *principales* called some of their fellow-*principales* from Tepeaca, Cuauhtinchan, Calpan, Puebla, Cholula and from

Tlaxcala as their witnesses. Only from Huejotzingo -one of the important surrounding provinces- there was no representative. The witnesses all declared that Diego Sánchez did have a right to the *terrazgo* and that the *terrazgueros* unjustly claimed the land. The result of the litigation is unknown to us, as the *expediente* is incomplete.⁴

The importance the *principales* attached to the matter is clear from the number of witnesses from the neighbouring provinces. We may wonder whether all these representatives from other provinces knew the exact position of the fairly small plots involved. It rather seems to have been a fundamental question, which apparently was of importance for all the *principales* from the region. In these cases the central issue was the supply of *terrazgo* to the *principales*. The obligations varied in each case but basically amounted to the same thing. Every *terrazguero* was obliged to work a plot of specified dimensions, apart from the land he worked for his own subsistence. The *terrazgueros* had to transport the yield of these tribute lands to the house of the *principal*. In addition they were supposed to provide the *principal* in question three or four times a year with hens (*gallinas*) and a number of cacao-beans. They also had to fulfill personal services of a week in the house of a *principal* a few times a year. At the onset of the week of services they had to bring firewood and water. The wives of the *terrazgueros* took part in the services in the house of the *principal*. They also supplied products of the domestic industries -in Tepeaca this included for example semi-processed cotton. Finally the *terrazgueros* had to repair the house of the *principal* whenever necessary.⁵ Litigations on *terrazgo* obligations were not confined to the valley of Puebla, from which the examples were taken. According to the former *oidor* of the *Audiencia* in Mexico City, Alonso de Zorita, there were cases like this throughout New Spain during the second half of the sixteenth century.⁶

TRIBUTE REFORMS AND CONFLICTS

The conflicts between *terrazgueros* and *principales* were caused by the tribute reforms of about 1560. It took the entire decade to carry out these reforms. We can see them as a part of the centralising measures of the Spanish authorities in the American colonies after 1550. With the reforms all Indians were made liable to pay tribute to the Crown. Previously many Indians had been exempted from these tribute duties. In the pre-Hispanic and early colonial period neither the *principales* nor those who owed tribute to them paid tribute to the central government. The last group of people is usually called *terrazgueros* in Spanish documents of the period. Following Alonso de Zorita's well known treatise entitled *Breve y sumaria relación de los señores de la Nueva España* (1584), they are often called *mayeque*.⁷

In the relation between *principales* and *terrazgueros* the reforms could have two consequences:

- the *terrazgueros* were exempted from the tribute obligations to their *principal* and from this time forward just paid tribute to the Crown- i.e. the central government;
- the *terrazguero* paid their old *terrazgo* as well as the the new tributes to the Crown.

Of course the *terrazgueros* preferred the first possibility. The *principales* were prepared to compromise by having their *terrazgueros* pay tribute to the colonial Spanish authorities, as long as they themselves got their *terrazgo*. Naturally they would have preferred cancelling the reforms completely, but that was no available option.

The conflicting interests appear most clearly in the Tepeaca-example cited above. Both parties expose their positions there. The most successful *principal* in such cases was the former *tecuhli* or the former *tlahtoani*. They were the 'natural lords' (*señores naturales*) of the Indians in the eyes of the Spaniards. In the documents they are referred to as *caciques*. Being natural lords they had a right to be maintained by their subjects. The ones that could not show a long dynastic tradition or hereditary rights occupied a shakier position, since they were not entitled to 'natural lordship' in Spanish terms. They went especially for those who received tributes as a result of a grant by a *cacique* or as a non-hereditary reward for the exercition of administrative duties.⁸

Previous Interpretations

In the last two decades the so-called *Asiatic Mode of Production* has become the point of departure for the description and analysis of pre-Hispanic landownership. In the concept of the *Asiatic Mode of Production* the central point is the control of the means of production by the ruling classes. In Mexico the most important means of production were land and labour. The control was exerted through the social structure (class division) and the political institutions (state, tribute, landownership), by which the ruling classes extracted the economic surplus consisting of labour and products. In the *Asiatic Mode of Production* the commoners are exploited by a bureaucracy consisting of a ruling upper class, that use the arrangement of society as an instrument. For this purpose the already existing organization of commoners in *calpulli* was used.⁹ Although not all authors explicitly support the concept, all seem to be working on the basis of it.

In sixteenth century lawsuits it is striking that the issue of the *terrazgo* obligations is central, while the land itself is only mentioned casually. It is all the more conspicuous, since in the literature on the economy and social stratification of pre-Hispanic Mexico the division of landownership is emphasized so much. In the literature a distinction is made between *pillalli*, private lands of *caciques* and *principa-*

les, which were attached to offices or which were obtained by grant, and *calpullalli*, lands which were corporately owned by the *calpulli*; the *calpulli* are seen as the 'fundamental social organizations' of Mesoamerica, in which the *macehuales* were corporately united. Per region existed a considerable difference in names given to the various forms of landownership.¹⁰

The *terrazgueros* and *mayeque* are opposed to the *calpuleque* (members of the *calpulli*). This opposition is connected with the kind of land they were working. *Terrazgueros* or *mayeque* worked the lands of *caciques* and *principales* (*pillalli*) or the land rewarded by the *cacique* to those who had made themselves useful, or who were exercising an office. *Calpuleque* worked the common lands of the *calpullis* (*calpullaltin*). There is no consensus on the difference in social status between the two groups, though usually the *terrazgueros* or *mayeque* are seen as 'unfree' and the *calpuleque* as relatively 'free' men. In the literature the diversity between regions is pointed out time after time. This already starts in the treatise of Zorita, one of the most important sources used for the investigations of pre-Hispanic landownership.¹¹

The Example of the Area of Tepeaca

The pre-Hispanic *señorío*, the lordly territory, of Cuauhtinchan is considered to be an important exemption to the general rule, although it is still thought to be part of the *Asiatic Mode of Production*. As a consequence of internal dissensions at the end of the fourteenth century, it fell apart into five different *señorios*: Cuauhtinchan, Tepeyacac (later called Tepeaca), Tecalco (later: Tecali), Tecamachalco and Quecholac. Under Spanish rule these regions were reunited into the province of Tepeaca. The five former *señorios* became the five *cabecezas* (head towns) in the province. On basis of the relatively rich documentation for this area a number of investigators led by Carrasco and Reyes García found that in pre-Hispanic times all of the land was the property of *caciques* and *principales*. In a document of 1553 from the municipal archives of Cuauhtinchan a witness declared on the subject:¹²

"The first thing I say and declare, is that here in Cuauhtinchan, in Tecalco, in Tepeyacac, in Tecamachalco and in Quecholac the calpulli do not possess land. (...) Only the tlahtoque own lands on which they serve as tlahtoque."

Several other witnesses declared how this situation came to be: the *tlahtoani* took the autonomy from the *calpulli* and made all members of the *calpullis* into their *macehuales*. The *Manuscript of 1553*, as the document came to be known, itself is the record of the investigations on the part of the Spanish authorities, following the pressure the *calpullis* exerted to regain their former status. The authorities attempted to settle the matter with the aid of an Indian judge from Huejotzin-

go, but the *calpullis* got angry with him, because their grievances were not satisfactorily settled.¹³

If all the lands were in the hands of the *caciques* (*tlahtoque*) of the Tepeaca area, this signifies that all non-*principales* were *terrazgueros* of the rulers or the ones who held lands as a reward for administrative services or through grants. In the earlier cited documents from 1571 the obligations of the people living on the lands of the *caciques* are mentioned. As stated before the issue in question in those documents is not landownership, and the claims just refer to *terrazgueros* (called *macehuales* in the documents) and their houses. Wherever possession of land is mentioned it is only of secondary importance. Lands of other *caciques* are mentioned as neighbouring territories, or they are said to be the lands of the inhabitants of another *cabecera*. This goes for all the claims to land from the Tepeaca province from the second half of the sixteenth century that I have seen.¹⁴

Calpullis also claimed lands. However, with the exception of the *Manuscript of 1553*, I am not aware of the existence of documents concerning this issue. In the *Ramo de Tierras* of the *Archivo General de la Nación* in Mexico City remains an expediente in which the Viceroy, Don Antonio de Mendoza, grants a *merced* to a number of communities in the southeast of the jurisdictional area of the *cabecera* Tecali.¹⁵ This *merced* relates to the lands surrounding the communities. The claims of the communities show a striking difference to those of the *caciques* from the province of Tepeaca, of which Tecali was a part: the communities mention surrounding communities and neighbouring *cabeceras* as *linderos* (bordering landowners). Neither *principales* nor *caciques* are mentioned as *linderos*, and clearly this is a result of the claims of the communities. Yet it remains remarkable that the rights of property of the *caciques* could be ignored entirely, while they themselves claimed rights to all lands. As a consequence the grants caused a longstanding dispute between the *caciques* of Tecali and the communities mentioned above.¹⁶ The Spanish authorities refused to reconsider the decision, notwithstanding the indignation of the *caciques*.

There is another problem in connection with this issue. In the 1580s the claims to land of the *caciques* were recorded by the colonial authorities. The reason for this was to enable the *caciques* to defend themselves from Spanish encroachers on their territories on a firmer legal basis. In these documents there are hardly any references to landownership, which were also lacking in the cases from 1571 discussed above. Land is only mentioned in connection to *terrazgueros*. Wherever it is mentioned, the *caciques* claim not to know the size of their lands. In similar documents from the provinces of the valley of Puebla, there are hardly any detailed dimensions of lands owned until the close of the sixteenth century. The question thus arises as to whether landownership was indeed such a central issue in the eyes of the indigenous population, as modern investigators have described it. One

might argue that the province of Tepeaca was after all an exception, and that the division of lands between the *caciques* was seen as obvious, to the point that they did not think it necessary to specify their claims. A comparison with an area where the existence of landownership by *calpullis* is assumed seems necessary.¹⁷

The Example of Huejotzingo

The area of the pre-Hispanic *señorío* of Huejotzingo, described in the previous chapter of this volume, shows a division of landownership more typical of the current picture of socio-economic organization of pre-Hispanic Mexico. Prem has described in detail the indigenous division of land and the early colonial changes. On the basis of tribute lists from 1560, the so-called *Matricula de Huexotzinco*, he analysed the situation of pre-Hispanic landownership and the social structure deriving from it. The results of these investigations have been published in the article "La estratificación social en Huexotzinco" (1976, together with Dyckerhoff) and the monograph *Milpa y Hacienda* (1978).¹⁸

Prem mentions the three forms of indigenous landownership discussed above: lands of the nobility (*pillalli*), community lands of the *calpullis* (*calpullaltin*) and lands granted as a reward for officials or meritorious individuals (several names). In the pre-Hispanic *señorío* Prem and Dyckerhoff distinguish three zones: the northern valley of Texmelucan, the central zone around the present town of Huejotzingo and a southern zone around the present town of Atlixco. As a result of pre-Hispanic conquests, subjections and submissions, 100 percent of the *macehuales* in the valley of Atlixco and 85 percent of the *macehuales* in the valley of Texmelucan consisted of *terrazgueros* of the *principales* of Huejotzingo. In the central zone 50 percent were *terrazgueros*. The rest of the population of commoners was made up of *calpuleque*.¹⁹ This means also that in the central zone of the province approximately half of the land was property of the *calpulli*. Prem does not have direct proof for landownership by the *calpulli*; he derives the division from the proportional division between *terrazgueros* and *calpuleque*.

The juridical difference between the two groups leads us to expect the existence of a strict separation between *terrazgueros* and *calpuleque* within the communities. But in what are called *calpules* in the *Matricula de Huexotzinco* occur *calpuleque* as well as *terrazgueros*. In the document each *macehual* is represented by a head with a name glyph attached to it. Often the *terrazguero*-status is designated above the heads. In addition to the *macehuales* their chief (*centecpanpixqui*) is represented. With his drawing goes a text in Spanish -added by an interpreter- in which is stated how many men (households) he has control of and how many of them are *terrazgueros*.²⁰

The occurrence of both kinds of *macehuales*, *terrazgueros* and *calpuleque*, within one *calpulli* is hard to reconcile with community owned lands by the *calpulli*, to which each *calpulli* member was entitled. Prem and Dyckerhoff skip this problem too easily by writing that those who are designated as *terrazgueros* in the *padrones* (tribute lists) either were no part of the *calpulli*, or were only partially integrated into the *calpulli* organizations. They do not prove these assertions any further. The situation gets even more complicated if we consider the position of the artisans and merchants (*indios oficiales*) in the central zone of Huejotzingo. About 58 percent of them are *terrazgueros*. In a petition preceding the *padrones* themselves, it is stated that they never paid tribute. Elsewhere they are said to be living of their *oficios* alone, and not to be working land in addition. Prem and Dyckerhoff do not explain how we are to reconcile this freedom from tribute with a status as *terrazguero*.²¹

If we study the documents relating to a distribution of land to the *macehuales* by the *principales* of Huejotzingo, another problem in the work of Prem and Dyckerhoff comes to the fore. Under pressure from the Franciscan friars in Huejotzingo the *principales* and *caciques* agreed on a distribution of lands. In a petition to the King in 1554 they wrote about the matter, that from times immemorial the *principales* had held all estates ("*de tiempo inmemorial hemos tenido las heredades todas*"). The *macehuales* owned nothing previously, but worked the lands of the *principales* for their own benefit, and in exchange supplied the *principales* with firewood, water, *gallinas* (turkeys), *chiles* and everything else needed for the maintenance of the *principales*. These 'tyrannical customs' were handed down by the ancestors, who did not appreciate the tyrannical nature of their actions since they were heathens ("*como eran infieles no conocieron este ser tiránica cosa*"). After serious considerations the *principales* had decided to give the *macehuales* land in 'perpetual donation'. The *principales* used to live from the services of the *macehuales* and the yields and the rents of the land. As all Indians were Christians now ("*Ya que todos somos cristianos*"), the *principales* were willing to moderate the rents, but they did not want to renounce all their claims. The only duty remaining was the obligation to work a plot of land of 20x20 *brazas* for the lord of the land ("*señor de la tierra*") for each 80x20 *brazas* distributed to the *macehuales*.²²

The services mentioned in the declarations of the *principales* are more or less the same as those appearing in the lawsuits mentioned above. According to Prem only the *terrazgueros* profited from the moderations of the duties. He considers the *principales*' claim to ownership of all of the land 'unmasked' by the *Matricula de Huexotzinco* as a 'purposeful assertion' which was far removed from reality. Yet he does not indicate which aim the *principales* wished to attain with this assertion. Presumably Prem means that by compromising a little to the new regime on the one side, the *principales* of Huejotzin-

go tried to expand their rights on the other side. This point of view is not directly supported by the documents he uses. Moreover it seems most unlikely that the Franciscans, who started the procedure, would have submitted to such an attempt to usurp the rights of the *macehuales* without even protesting. Considering these objections I believe the distribution of lands indeed benefited all *macehuales*, *calpuleque* and *terrazgueros* alike. The *principales* were masters of all the land, and the *macehuales* all supplied 'terrazgo'. This approach also matches better with the occurrence of *terrazgueros* as well as *calpuleque* in one and the same *calpulli*.²³

The existence of common landownership by the *calpulli* is thus called into question, and with it the function of the *calpulli* becomes unclear. In discussing the division of landownership in the areas of Tepeaca and Huejotzingo, I have commented on the description of the pre-Hispanic situation of landownership as it appeared in the literature. In both cases I had to conclude that the documentation used fails to support unequivocally the interpretation given to it. At this point it seem appropriate to take a closer look at the economic situation of Central Mexico before the coming of the Spaniards.

CHARACTERISTICS OF THE CENTRAL MEXICAN ECONOMY

Central Mexico had an agrarian economy before and after the conquest as nearly every other society at that time. A vast majority of the population was engaged in agrarian activities and in the economy agriculture was the central factor. The land and its products consequently had a predominating significance and the social structure was closely tied to them. Many authors have assumed that the social stratification was based on the ownership of land. This assumption, however, does little more than offer the general statement that the society is agrarian. Societies designated in this way may vary considerably. There are other factors different from agriculture important in determining the functioning of the economy. Landownership and purely agrarian activities are only a few -though generally important- facets of such a society. First I will briefly consider agriculture and thereafter explore the economic factors external to agriculture and their influence.²⁴

In Mexico before the coming of the Spaniards all labour was done by manpower and only simple tools were used; animal musclepower could not be employed in the absence of large domestic animals, like horses or oxen, that could be used as draught or pack animals. The inhabitants of Central Mexico did not employ the wheel, which precluded the use of wind or waterpower; for all agrarian jobs one had to rely on human musclepower. This limited the possibilities to organize society. Maize was the dominant crop; the plant had adjusted itself very well to the environmental conditions of Central Mexico. It

needed little water and was able to grow on rather poor soils. Compared to other sorts of grain, like wheat, the dominant European crop, maize's high yielding performance attracts attention. To maintain one person a much smaller area of cultivated land was needed than with wheat, and consequently less labour. Besides maize the Mexican Indians cultivated many other crops, all of which were of far less importance than maize. Turkeys, fish and some game supplied animal proteins on a modest scale.²⁵ In the villages a variety of artisanry was produced. Local products were traded on local and regional markets. Apart from this professional merchants were engaged in long-distance trading, generally in luxury products for the elite, but also in salt. In the long-distance trade gold dust was used as money, but at the local level there was a lack of means of exchange. Cacao beans were used as such, but only on a small scale, and the beans were of small value.

Studies concerning the European agrarian economy have shown that a lack of means of exchange causes various practical problems.²⁶ In medieval Europe society developed under the influence of the political and military upheavals of the times. The political and military situation changed constantly as a result of wars and varying alliances. All positions of power were supported by social and economic relations which were (largely) the outcome of some 3500 years of agrarian development. Consequently all social positions and power relations were highly complex and varied regionally, according to local historical development.

In this order of society the position of the lords served a jurisdictional, a military, and a religious purpose. The jurisdictional position of the lords enabled him to extract revenues from legal procedures, fines and judging. For his subjects it meant a guarantee that the internal order was maintained and that their rights were more or less observed. The military position gave the lord prestige and important means to maintain and even extend his authority, as well as the possibility to raise revenues through looting and plundering after a military campaign. For his subjects the military side of the position of the lord meant they were protected from attacks from the outside. The religious position gave the lords prestige and a certain supernatural element; many of the lords were thought to possess supernatural powers. In this aspect, however, the lords had to share their powers with priests. The religious side of their position made it easier for the lords to legitimize their power. For the subjects it meant a direct link to the supernatural, which was a prerequisite for survival in an uncertain world.²⁷ It is impossible to say which of the three aspects of the position of the lords was predominant. As appears above all bonds between lords and subjects were characterized by mutual benefit in which rights outbalanced duties.

The lords needed a number of executives who depended on them, to form an army and to administrate. They had to remunerate their faithful in kind, because of the lack of means of exchange. Whenever

their rewards increased this became impossible. Instead the lords gave usufruct of land, with which the vassals were able to maintain themselves while serving their lord. The same sort of relationship appeared lower down the social scale: since no reward in money could be offered attracting labour force was impossible. Instead the right to work land was given in exchange for working the lands of the lord. It appears that land itself was no guarantee for wealth: above all the power to have land worked counted. In other words: not the control of land through ownership but the control of people and a workforce was central in this society. This system was determined by personal bonds between lords and vassals. The place in society depended of birth.²⁸ The system has been called the system of *Personenverband* (personal association). Its counterpart is the *Territorialverband* (territorial association), in which people in a certain territory are subjected to one lord. The *Territorialverband* exists for example in modern centralized states.

In the system of *Personenverband* the lords had domains in which they had authority over the people associated with them. In the domains they had the threesided position outlined above. As a reward a lord could assign a number of subjects to particularly meritorious vassals. In the long run such an assignment might become a new domain, by becoming hereditary and thus independent of the lord. Even though the bonds between lords and vassals did not necessarily vanish if a domain got independent, this was by no means the intention of the lord, because it affected his authority. The people assigned could live in a joint area, but this was not necessary. At the basis of the system lies the idea of mutuality. The lord has rights, but also duties. The subjects have duties, but also rights. The position of the lords is clear. So are the duties of the subjects, but their rights are less evident. A subject has the right to a plot of land of sufficient size to maintain himself and his family. He has the right to be protected from attacks on his lands and looting by foreign powers. We can possibly count as an economic right the provision of sustenance in difficult times, like help in the case of illness or poverty. The bonds between higher and lesser lords are maintained and strengthened by the exchange of gifts. The size of gifts is a sign of the wealth and power of the offering lord.²⁹ Whenever a lord fails to fulfill his duties as a protector he either offers himself as a vassal to a higher lord -often a former rival- or he is subjected and deposed by an assailant.

The System of Personenverband in Central Mexico

The society in Central Mexico in pre-Hispanic times was structured according to the system of *Personenverband*. In the following analysis the pre-Hispanic *señorío* (also: *altepetl*) is used as a point of departure. It was a territory with its own social and political stratification, but without the complexities of the Aztec Empire as a whole.³⁰ Alon-

so de Zorita described the pre-Hispanic situation more or less detailed in his *Breve y sumaria relación de los señores de Nueva España*. This treatise was an answer to a royal *cédula* of 1553, in which the authorities in Spain asked for an explanation of the tribute system of pre-Hispanic Mexico. Zorita changes the order of the questions of the *cédula* and first answers question IX about power relations. Only after that he turns to tribute. This considers the point of authority most important. In accordance with Zorita I will analyse the power structure first, and then the division of tribute.

Zorita divides the lords (*señores*) into four sorts: *tlahtoque*; *tetecuh-tin* or *teteuctin*; *calpulli*-heads; *pipiltin* or *principales*. In each province were three and some times four high lords (*tlahtoque*) one of whom was the chosen leader (*señor supremo*). Their position was hereditary. The supreme lord had no jurisdiction or authority in the territories of the other *tlahtoque*. As a substitute for the gods the *tlahtoque* had three sorts of obligations which together amounted to the care for the well-being of his subjects. They only became *tlahto-que* after elaborate initiation rituals, which have been described by Zorita for the valley of Puebla. During the initiation they had to prove that they were worthy of the rank of *tlahtoque* by showing perseverance and a stoic, humble attitude. Following the initiation the duties were summarized in a short speech by the high priest, which is most illustrative of the three aspects of the position of the leader that I described above. Thus it is worth citing here at length:³¹

"My Lord: consider the honor your vassals have done you. Now that you are confirmed as a ruler you must take care of them and regard them as your sons; you must see to it that they be not offended and that the greater do not mistreat the lesser. You see that the lords of your country, your vassals, are all here with their people. You are their father and mother, and as such you must protect and defend them and treat them justly; for the eyes of all are upon you, and you are the one who must govern them and keep order among them. You must be very diligent in affairs of war. You must watch over and punish the wicked, lords as well as commoners, and correct and reform the disobedient. You must give special care to the services of God and his temples, so that there will be no lack of what is needed for the sacrifices. Thus all your affairs will flourish and God will watch over you."

Subordinated to the high lords were a number of lesser lords called *tecuh-tli*, and in the colonial period *caciques*, who ruled a *teccalli*. Their position depended on the *tlahtoque*, who designated them for lifetime. The position was not hereditary. The *tlahtoque* tended to favour members of the already ruling family whenever succession was at stake. The available documentation suggests that there was regional variation concerning hereditability of the function. Descendants of a *tecuh-tli* remained *pipiltin*, in Spanish *principales*, whether the family remained in rule or not. The *tetecuhtin* had subordinates who had to

see to it that the land was worked. This circle of subordinates consisted mainly of relatives. Between the various kinds of *pipiltin* existed distinctions in dignity and privileges. Yet they were always members of a *teccalli* in which they held military or administrative positions. The obligations of the *tetecuhtin* were the same as those of the *tlahtoque*, but on a smaller scale.³²

Zorita mentions *calpullis* as distinct lordships, which had their own leaders.³³ Leadership of the community was hereditary, but the community had to confirm the new leader after he succeeded. The leader led the community in legal cases and bore the expenses to exercise his function. As a reward he either received tribute or freedom from tribute to higher lords. Zorita's treatise is problematic on the subject of the *calpulli*: according to him *calpullis* held land in common property. It is not entirely clear what a *calpulli* in effect was. In his article on the '*linajes nobles*' Carrasco observes that social units of varying sizes and complexities were designated as *calpullis*. Below I will return to the position of the *calpullis*.³⁴

To a question in the royal *cédula* Zorita answers that the ones who paid tribute were all commoners (*macehuales*). He divides them into four groups: *calpulleque*; *teccalleque*; artisans and merchants; and *mayeque*. There were many *calpulleque* -members of the *calpullis*. They owed tribute in proportion to the number of people in the *calpulli*. Apart from this they supplied tribute to the heads of the *calpulli*. The tribute supplied corresponded to the occupation of the *calpulleque*: peasants gave agricultural products, goods and services and worked the lands reserved for the lord (and possibly the head of the *calpulli*). Artisans and merchants supplied the lord with tribute from the products they traded. They were exempted from personal services. To prevent tribute evasion and a too strong growth of the non-agricultural sectors, special permissions were needed to take on these occupations. *Teccalleque*, the people depending on the *teccalli* supplied tribute to the *tecuhli*. Among them were artisans and merchants. *Mayeque* lived on the lands of the *principales*, whom they supplied with tribute. According to Zorita this was because the groups they belonged to did not own the land of old. Tribute was just given to one person at a time: persons assigned to the *teccalli* henceforward had to give tribute to the *tecuhli*, and no longer to the supreme lord. This did not hold for times of war or other emergencies, when everyone's help was needed.³⁵

In my opinion this description of the various tribute obligations remains unfinished. As I have argued above, in Huejotzingo *calpulleque* and *terrazgueros* (*mayeque*) were united in one and the same *calpulli*. This is only understandable, if within the *teccalli* rights to tribute were given to meritorious *principales* (*pipiltin*). In this way, namely, all members of the *calpulli* remained liable to pay tribute to the *teccalli* while the tribute itself no longer went to the *tecuhli*. The group the Spaniards called '*terrazgueros*' in the documents, upon closer con-

sideration appears to be heterogeneous. In Huejotzingo the nobles personally held power over entire groups of *terrazgueros* in the valley of Atlixco and elsewhere. As argued above, in Tepeaca all *macehuales* were part of the 'property' of the lords. In the *Manuscript of 1553* mentioned above, it is striking that the indignation of the original *calpulli* concerns the submission of their leaders. They protested in the documents to the small number of *macehuales* assigned to a head of one of the *calpullis*.³⁶

The division of *terrazgueros* among nobles seems to be a result of taking part in a conquest campaign like the one in the valley of Atlixco of Huejotzingo against Quauhquechollan. Another possibility is that groups voluntarily submitted to a neighbouring powerful lord in exchange for the use of land or for protection. The first possibility might well have applied in the case of migrating groups; the second possibility occurred for example in the valley of Mexico when the power of the Aztecs and their allies kept on growing. Former rulers might be degraded, as happened in the area of Tepeaca to the heads of the *calpullis*. Documentation from Tlaxcala and Tepeaca indicates that even after the conquest by Spain the dominance of local Indian *caciques* was extended.³⁷

Taking Zorita's description as a point of departure I am now able to outline a coherent picture of the structure of the pre-Hispanic society; see Appendix. There was a fundamental division between commoners, *macehuales*, and nobles, *principales* (Nahua: *pipiltin*). One can probably best translate this as a division between liability to tribute and entitlement to tribute. Tribute was given in kind and in services, according to the possibilities of the *macehual* in question. In principle all tribute fell to the supreme lord (*tlahtoani*). He could assign usufruct, however, to his faithful followers in return for services in war or administration. As the lords of a *teccalli* they could pass on rights in the same way to their followers. Such a bestowal was usually valid for just a lifetime and did not include jurisdiction over the *macehuales* liable for tribute. Only in the case of conquests were rights to tribute conferred definitively. This was for example the case in the *señorio* of Huejotzingo, after the conquest of the valley of Atlixco.³⁸

Usually the local ruler remained in office, but he had to make a declaration of vassalage to the conqueror. Such declarations of vassalage were also expected if the higher lords organized celebrations, and upon succession of lower lords. Conquered rulers retained most of their tribute rights on subordination, but they had to reserve part of them for the conqueror. Other tributes were assigned to the temples. As the Aztec Empire and the indigenous temples disappeared, their rights returned to the local lords.³⁹ Sometimes a local lord was replaced or driven away. Thus the Aztecs appointed governors on strategic locations. As is argued above in Tepeaca heads of *calpullis* were degraded to *macehuales* and in the valley of Atlixco the lords were

driven from Quauhquechollan. In the last case it is not clear how many followers they took with them.

It has become clear from the analysis above that as a result of the historical political and military developments society in Central Mexico was like medieval European society highly complicated and locally divers. Although the *calpulli* may originally have been a clan-like organization, it had a different nature in Central Mexico at the time of the coming of the Spaniards. From the documents the *calpulli* appears mainly to have been an instrument for the organization of tribute collection. It was subdivided into groups of 20 and 100 men (i.e. households). Such an interpretation is supported by the exclusion of widows and elderly people from the *calpulli* organization in the *Matricula de Huexotzinco*. They were exempted from tribute obligations. Herewith is also explained the use of the name of *calpulli* for varying social groups, as Carrasco has noted.⁴⁰

The duty of the leaders of groups within the *calpulli* was to collect tribute goods and divide labour obligations. They might have been *principales* but that was not necessary. From the protocols of lawsuits one gets the impression that they represented the communities in litigations. Presumably they were the ones Zorita designates as the leaders of the *calpulli*. In the colonial period, in any case, there were heads of *calpullis* for whom land was worked, and who consequently were entitled to tribute. Their pre-Hispanic remuneration by the lords they represented may also have been an exemption from liability to tribute. They had extensive records of the *macehuales* entrusted to them. From Zorita's treatise it appears they had maps of the plots assigned to the *macehuales* too.⁴¹ On these maps the plots reserved for the lord and the temples would be represented.

The sort of landownership of the *calpullis* discussed here does not match with the picture of the structure of indigenous society in Central Mexico outlined above. In colonial times both *principales* and *macehuales* -united in *calpullis*- could claim land with reason, considering the rights both parties had to usufruct. It is important to realize this was not a question the Indian world had ever reflected on before: landownership was trivial.

For the Spaniards landownership was by no means trivial. They constantly put the question of the division of landownership at the center of their investigations of the world they had found. In their attempts to comprehend and change this world wisely, the Spanish lawyers time and again collided with the Indian views. Zorita was one of these lawyers. Through his experience of some ten years as an *oidor*, through the intensive contacts with his informants and through interest, he had come to understand the indigenous system. He was mainly influenced by experienced Franciscans, as he himself asserts in the first pages of his treatise. His representation is clearly marked by this influence. Neither Zorita nor the Franciscans, however, were able to set aside their own way of thinking or their concepts of land-

ownership. Moreover they all looked with sorrow upon the loss of the indigenous society in the second half of the sixteenth century.⁴²

The idyllic haze with which the Franciscan descriptions of the indigenous world were already shrouded by the apostolic context of the conversion was only strengthened by these conditions. The *calpullis* fell beneath this influence like the Old Tribes of Israel, which led a nearly paradisiac existence under the severe but just guidance of their natural lords. They supervised their lands communally in absolute harmony. The religious cruelties and the intensive use of labour services -in Europe a sign of slavery- were the only major dissonants in the communities. But these were the products of the ignorance of paganism into which had strayed the essentially good souls of the Indians. By the light of Christianity and the guiding hand of the friars they could be led from these errors, and thus reach paradise on earth. The Franciscans persuaded *principales* in some places to abolish or moderate personal services and grant written landtitles to the *macehuales*. They were impeded in their reforms by Spanish colonists and governmental politics, about which they complained bitterly. Zorita joined this position in his treatise, and elaborates on the destruction of the old indigenous order and the consequent harm to society. In my opinion one is to see his assertions on the communally owned lands of the *calpullis* as a romantic distortion of reality. Reality is expressed more aptly by him, where he describes the situation of the *mayerque*. They lived on someone else's lands, he writes, but "(...) considered and called this land their own, because they had the useful dominion thereof, and the owners the direct domination."⁴³ The same was true for the *calpulli* lands.

The System of Personenverband and Other Descriptions

The picture of the functioning of the system of *Personenverband* in Central Mexico, which is outlined above, coincides on many points with the one Carrasco gives in his article on the pre-Hispanic economy, but there are essential differences. The triviality of landownership has already been treated. Carrasco also stresses the importance of the allocation of the surpluses of production and labour by the state. This is also a central element in the concept of the *Asiatic Mode of Production*, which has been a source of inspiration for many recent descriptions of pre-Hispanic social and economic structure.

Major differences to the system of *Personenverband*, as described in this chapter are the following: *principales* were exempted from tribute, but this did not mean they had no duties. They had to take care of their subjects in a very broad sense. The *tetecuhtin* had to see to the well-being of the poor. The leaders of the communities gave celebrations in which the entire population took part. Between dependent lords and the supreme lord gifts were exchanged as a symbol of mutual obligation. The most important duty of the lords were military

services, the fulfillment of religious functions and the exertion -mostly through others- of administrative duties at their own expense. This relation between rights and duties even extended to the gods. Although the *principales* profited from the tributes of the commoners they also contributed to society. In this way there existed a mutuality in social relationships which was at least perceived in ideological terms. One might refute this reasoning as an attempt of the elite to justify its position. Yet it was a fundamental issue which pervaded the entire society.⁴⁴

In my opinion it is wrong to speak of a 'state' in the cases of the pre-Hispanic *señorios* or the Aztec Empire. The Aztecs had an empire like the Carolingian rather than a modern state. In this respect the *señorios* did not differ from the Aztec Empire. There were supreme lords, but their authority was restricted. Jurisdiction was divided and was not monopolised by a central body of government. The domains of the various lords were separate. This was also valid for tribute rights. The stratum of *principales* is not adequately described as a 'bureaucracy', considering the association with different higher lords and domains, the autonomy of the lords with a domain and their inviolable privileges within one *señorio*, and the mutuality in their relations with their subjects.⁴⁵

A CLASH OF SYSTEMS AND VIEWS

In the first part of this essay I have presented some examples of litigation between *terrazgueros* and *principales*. These were a consequence of the tribute reforms of the 1560s. In the light of the system of *Personenverband* as it existed in New Spain, the tribute reforms and the lawsuits become more significant. From what has been said above on the structure of pre-Hispanic society, it appears that the tribute reforms struck at the roots of the indigenous society. In its positions of power depended after all on the number of *macehuales* supplying tribute. By making all Indians liable to pay tribute the position of the *caciques* and other *principales* was fundamentally affected.

The lawsuits are a symptom of the crisis that followed the reforms. The new tribute system was not the first step in the desintegration of the indigenous order, but it was a very important step in a continuous process, which made the old order largely disappear. The reforms originated from the wish of the Spanish authorities to get a firmer hold on their colonies after the period of conquests. In this pursuit there was no place for independent lords with their own jurisdiction. As a result the measures taken by the crown first struck at the *encomendados* and then at the Indian *caciques*.⁴⁶

In carrying out the measures, the Spanish state was more centralized than it could be in Europe at the time. On the Iberian peninsula and in the Low Countries it had to tolerate the survival of the rights of

local lords and all sorts of privileges. Although the general aim was centralization the politics of the central government often contained contradictory tendencies. On the one hand the Crown ordered the tribute reforms; on the other hand it ordered the protection of the position of the *caciques* and Indians in general.⁴⁷ Given this erratic and rather uncertain policy we may wonder if the government in Spain foresaw the consequences its reforms would have on the indigenous society. The members of the highest administrative body in New Spain -the *Audiencia*- in any case were highly confused. Their sincerely meant attempt to protect the Indians often failed because of their lack of understanding of indigenous society. The consequences of the reforms were disastrous. Apart from a description of the old order Zorita's treatise is mainly an accusation against its destruction and the consequent harm done to the Indians; an echoe of the voices of his Franciscan informants.

The tribute reforms could not be carried out entirely. Many lower-ranked *principales* did lose their rights to tribute, as a result of which they were impoverished. A sense of status inhabited many of them from acknowledging the reality of the situation and taking up the digging stick (*coa*). The *caciques* (former *tlahtoque* and *tetecuhtin*) however often managed to consolidate their positions and retain part of their old rights. *Macehuales* rightly saw the danger that their tribute obligations would be doubled: henceforth they would have to supply tribute to the Spanish authorities as well as to their own rulers. They started legal procedures to rid themselves of the old obligations. Their attempts were strengthened by the Spanish law which gave communities rights to land. The reforms resulted from the Spanish wish to centralize the government. The Indians did not understand this intention and the reforms caused much confusion and deep indignation among them. Exaggerating slightly, Zorita writes that many of those who lost their rights were very upset, neither daring to raise their voices, nor knowing what to say. Others gave up their positions as leaders out of fear of lawsuits.⁴⁸

The outcome of the tribute reforms was that the non-hereditary rights to tribute fell to the Crown. Before, the tribute rights of Motecuzuma and the lands reserved for the temples were already passed on in this way partly to the Spanish authorities (Crown, *encomenderos*, or Church) and partly to the indigenous *caciques*. Now, only the personal hereditary rights remained. These rights generally belonged to the more important lords, who had a demonstrable, dynastically determined position. The rights of common *principales* often only led to the acknowledgement of the ownership of one or more houses and the plots belonging to them (*solar*).⁴⁹ The position of the Indian powerful was severely affected, but the Spanish authorities did not manage -nor consciously wished- to destroy the system of *Personenverband* completely after 1550.

In the last quarter of the sixteenth century another phenomenon undermined the traditional position of the *caciques*: as a result of the depopulation, few *macehuales* remained in comparison to the large numbers supplying tribute to the *caciques* before. Especially the epidemics of 1576-1580 disrupted entirely what was left of the old order. In their claims to 'land' of the 1580s the *caciques* of the province of Tepeaca continuously complained they had impoverished as a result of the epidemics.⁵⁰ The economic basis of the power of the *caciques* disappeared because of this. Moreover the tribute duties to the Crown exerted a growing pressure on them. The Indian communities had ever bigger problems producing them, partly as a result of the tribute assessments (*tasaciones*) per community. The local administrators -Indian *caciques*- had to divide the assessments per head or household. Notwithstanding the continuous depopulation, the assessments were adjusted irregularly. In a testament from 1590 a *cacique* from Cuauhtinchan still urged his heirs never to refuse groups offering services in exchange for the use of land because that would enlarge the power of the heirs.⁵¹ Although this task was in the spirit of the old order, that had already almost been lost by then. The most powerful at that time did, however, understand that they had to look for other ways to maintain themselves and to keep their position.

The epidemics also resulted in the desertion of a growing amount of land in the domains of the *caciques*. Opposed to this tendency was the growth of the need for food in the expanding Spanish cities, where the bigger population meant more mouths to be fed. Rather than relying on the diminishing agricultural production from the Indians, more and more Spaniards engaged in agricultural activities themselves. A large number of Spaniards consequently claimed lands to start an enterprise in agriculture. The Spanish way of thinking in terms of landownership, new for the Indians, had not been adopted by them. We have already seen above that when the Indian *caciques* had to record their claims to land before the Spanish authorities in the 1580s, they still measured their rights in terms of *macehuales*. The extent of the areas associated with such rights are hardly ever mentioned. The documents of those years illustrate the difference in the ways of thinking between Spaniards and Indians. The Spanish authorities wanted to establish the division of landownership by recording the claims of the *caciques*. The *caciques* had not yet 'translated' their rights in these terms. Notwithstanding the well-meant attempts of the authorities, the situation did not get very much clearer.

In my view one has to see the encroachments on indigenous territory in the light of these conflicting views. The encroachments are supposed to have generally accompanied the rise of Spanish agriculture in the second half of the sixteenth century. Much formerly cultivated land became waste as a result of the depopulation by the epidemics. The *caciques* still saw these territories as belonging to their sphere of influence. Whoever wanted to work the land was in princi-

ple welcome, provided he supplied rent or tribute. 'Leasing' land was not unusual between one *principal* and another in pre-Hispanic times.⁵² In the Spanish view the use of waste land was justified. The surveys of the 1580s were an attempt of the authorities to stop the disagreements. The attempt was doomed to failure, because each party in its own view stood in its right. Of course there were Spaniards who violated Indian rights even in Spanish eyes, but they remained an exception, whom the authorities acted against as much as possible.

The number of conflicts did not diminish. There are many cases -for instance in testaments- where there is mention of Spanish encroachers on the patrimonium of the *caciques* or Spanish default in paying rents. The *caciques* spent fortunes in lawsuits on land before the *Audiencia*. Thus Doña María de la Cruz, *cacique* of Tepeaca, married a Spaniard in her second marriage to be able to defend herself better against encroachments on her heritage. She had already incurred considerable debts for these lawsuits, and her heirs spent some 6000 *pesos* more on litigations.⁵³

All the indignation of the *caciques* finally did not have the power to stop the Spaniards. The Indians felt themselves forced to adapt to the new circumstances. From about 1590 they started to sell waste lands on a major scale in the valley of Puebla. An important milestone seems to have been reached with the period of the congregations, a concentration of the Indian population into villages in the first de-cennium of the seventeenth century. With the congregations landown-ership was recorded by the authorities for the first time, although incompletely.⁵⁴ In the last part of the sixteenth century the politics of the Spanish authorities converged, to make the old order -which I have described as the system of *Personenverband*- crumble. It gave way to the relations which from then on would characterize the society in New Spain.

CONCLUSION

In this essay some doubts concerning the current picture of the structure of pre-Hispanic Mexican society have been exposed. The basis for these doubt were the protocols of some lawsuits between *terrazgueros* and *principales* from about 1570. Upon closer examination the documents from the areas of Tepeaca and Huejotzingo did not unequivocally support the existence of pre-Hispanic landownership. A theoretical discussion of the structure of the society of Central Mexico produced a different interpretation. In Central Mexico before the coming of the Spaniards there was a socio-economic system that rested on personal associations between lords and commoners. I have called this a system of *Personenverband*, and the treatise of Alonso de Zorita, used earlier as the most important source for the description of pre-Hispanic landownership, supports my interpretation.

The indigenous social and economic views strongly diverged from those of the Spanish authorities. The centralizing measures and especially the tribute reforms of the government undermined the old Indian order. What remained of it after 1570 crumbled under the social and economic developments of the end of the sixteenth century. As a result the system of *Personenverband* gave way to a *Territorialverband*.

The transformations in the early colonial Mexican society resemble the development in Peru, which were the consequence of the clash of Andean and Spanish cultures. This process has been described by Slicher van Bath, Spalding, Stern and others.⁵⁵ In Peru, as in Mexico, the indigenous system, which was also based on the *Personenverband*, was severely disturbed by the reforms of the colonial Spanish authorities. In the densely populated areas of Central Mexico and in Peru at the end of the sixteenth century there occurred a break in social structure. The subsequent developments in the Andes differed from the Mexican, partly as a result of the particular organization of Andean societies, which made adjustment to the new situation even more difficult than in Mexico. The period from circa 1570 to 1650 is often seen as a time in which few important developments took place in colonial Mexico. However, the opposite is true, for an important part the colonial society, which was to mark Mexican history deeply, was formed in this period.

ENDNOTES

1. Alonso de Zorita, *Breve y sumaria relación de los señores de la Nueva España* (Mexico City, 1963), 51-52; written in 1584 (hereafter *Zorita*). References to the work of Zorita are to this edition. In translating citations I have made use of the English translation which appeared in Alonso de Zorita, *Life and Labor in Ancient Mexico. The Brief and Summary Relation of the Lords of New Spain*, B. Keen, ed. (New Brunswick, 1971).

2. Archivo General de Notarías, Puebla, Protocolos de Tepeaca, Paquete 40- Fojas Sueltas (hereafter AGNP-PT-Paq); H. Martínez, *Colección de Documentos Coloniales de Tepeaca* (hereafter *CDCT*; Mexico City, 1984): documents 176-179; pp. 447-479.

3. Archivo General del Estado de Tlaxcala, Fondo Colonia, Histórico -Caja 3- 1571-expediente 4 (hereafter AGET-FCH; and for *expediente*: exp.). Also compare the order against the 'rebellious mestizo' Diego López Ayala in AGET-FCH-Caja 3-1570-exp 2. On the *terrazgueros* who were sent home: "*Se obligavan y obligaron de dar y pagar y daron y pagaron cada uno dellos de terrazgo por razón de las dichas tierras en que viven y labran y labraren que son de los dichos principales*," AGET-FCH-Caja 3-1570-exp 2-foja 5r. AGET-FCH-Caja 3-1572-exp 5/6; Caja 3-1570-exp 2- foja 17v-27v.

4. AGET-FCH-Caja 3-exp 4. According to M. Carrera Stampa, "The Evolution of Weights and Measures in New Spain," *Hispanic American Historical Review*, 29 (1949), 2-24: 1 *braza* = 2 *varas* = 1.67 m. On the other hand according to H. J. Prem, *Milpa y hacienda. Tenencia de la tierra indigena y española en la Cuenca del Alto Atoyac, Puebla, México (1520-1650)* (Wiesbaden, 1978), 293 a *braza* in Huejotzingo generally was 2.875 *varas*, corresponding to a little less than 2.5 m.

5. Usually 100 cacao-beans and 1 *gallina*. The frequency is mostly 3 or 4 times a year. By 1570 turkeys and Spanish chickens may have been used. For both animals the term *gallina*

was used. On the obligations of the *terrazgueros*, see Zorita 117-118; 123-125; P. Carrasco, "La economía del México prehispánico," in *Economía política e ideología en el México prehispánico*, P. Carrasco and J. Broda, eds. (Mexico City, 1978), 32-41.

6. Zorita, 42 and *passim*; also compare "Carta de Fray Gerónimo de Mendieta para el virrey D. Luis de Velasco (...) 1591" no. XXVIII in J. García Icazbalteca, *Nueva Colección de Documentos para la Historia de México* (Mexico City, 1886-1892), V, *Códice Mendieta*, 109-111, and "Carta de los señores (...) para Felipe II," no. XXIII in García Icazbalteca, *Nueva Colección*, IV, 128-136.

7. S. F. Cook and W. Borah, "Quelle fut la stratification social au centre de Mexique durant la première moitié de XVI^e siècle," in *Annales, Economies, Sociétés, Civilisations*, 18 (1963), 226-258. And even then the tribute reforms were not carried out entirely; see below. For centralisation in sixteenth century Mexico compare H. Pietschmann, *Staat und Staatliche Entwicklung am Beginn der Spanischen Kolonisation Amerikas* (Munster, 1980). Zorita, *passim*. The term *mayeque* (fieldhands) hardly ever appears in colonial documents; compare F. Hicks, "Mayeque y calpuleque en el sistema de clases del México antiguo," in *Estratificación social en la Mesoamérica prehispánica*, P. Carrasco and J. Broda, eds. (Mexico City, 1976), 67-68. Hicks came across the word three times, one of which was in the treatise of Zorita.

8. See for heritability also P. Carrasco, "Los linajes nobles del México antiguo," in *Estratificación social*, 19-36.

9. For summaries see Carrasco, "Economía"; M. León Portilla, "Mesoamerica before 1519," in *Cambridge History of Latin America*, L. Bethel, ed. (Cambridge, 1984), I, 3-36. For criticism on the *Asiatic Mode of Production*, but no substantially different view on landownership or class division see J. A. Offner, *Law and Politics in Aztec Texcoco* (Cambridge, 1983). The Nahuatl plural of *calpulli* is *calpultin*; here the English *calpullis* is used.

10. Besides the already mentioned works of Carrasco and the articles in the collections of Carrasco and Broda, see: P. Carrasco, "The Political Economy of the Aztec and Inca States," in *The Inca and Aztec States, 1400-1800*, G. A. Collier, R. I. Rosaldo and J. D. Wirth, eds. (New York, 1982), 23-40; "Social Organization of Ancient Mexico," in *Handbook of Middle American Indians, X: Archaeology of Northern Mesoamerica*, 2, G. F. Eckholm and I. Bernal, eds. (Austin, 1972), 347-375, "América indígena," in *Historia de América Latina* (Madrid, 1985); S. L. Cline, "Land Tenure and Land Inheritance in Late Sixteenth Century Culhuacan," in *Explorations in Ethnohistory: Indians of Central Mexico in the Sixteenth Century*, H. R. Harvey and H. J. Prem, eds. (Albuquerque, 1984), 277-309, and, *Colonial Culhuacan 1580-1600. A Social History of an Aztec Town* (Albuquerque, 1986); U. Dyckerhoff, "Colonial Indian Corporate Landholding: A Glimpse from the Valley of Puebla," in this volume; H. R. Harvey, "Aspects of Land Tenure in Ancient Mexico" *Explorations in Ethnohistory*, 83-102; F. Hicks, "Prehispanic Background of Colonial Political and Economic Organization in Central Mexico," in *Supplement to the Handbook of Middle American Indians*, IV, R. Spores, ed. (Austin, 1986), 35-54; Offner, *Law and Politics*; M. Olivera, *Pillis y Macehuals. Las formaciones sociales y los modos de producción de Tecali del Siglo XII al XVI* (Mexico City, 1978); Prem, *Milpa y Hacienda*; L. Reyes García, *Cauhtinchan del Siglo XII al XVI. Formación social y desarrollo histórico de un señorío prehispánico* (Wiesbaden, 1977); R. Spores, *The Mixtecs in Ancient and Colonial Times* (Norman, 1984). Differing from the general view are M. Menegus B., "La parcela de indios," in P. Carrasco et al., *La Sociedad Indígena en el Centro y Occidente de México* (Mexico City, 1986), 103-128; and B. García Martínez, *Los pueblos de la Sierra. El poder y el espacio entre los indios del norte de Puebla hasta 1700* (Mexico City, 1987), 65-105. For a discussion of the literature and the sources see W. W. Borah, "Some Problems of Sources," in *Explorations in Ethnohistory*, 23-39.

11. Hicks, "Mayeque y Calpuleque," *passim*. Also, Zorita, 8.

12. *Manuscrito de 1553*, 83. Document no. 4 in L. Reyes García, *Documentos sobre tierras y señoríos en Cauhtinchan* (hereafter *DTSC*; Mexico City, 1978), and his *Cauhtinchan del siglo XII al XVI*. Also compare L. Reyes García, "Introducción," in *DTSC*, 7-9. Oli-

vera, *Pillis y macehuales*, 119-122, and "El despotismo tributario en la región de Cuauhtinchan-Tepeaca," in *Estratificación social*, 181-205.

13. In the mentioned document the term *macehualli* is used. Also, *Manuscrito de 1553*, 98 and *passim*.

14. Compare the claims to land etcetera and the testaments in *DTSC* for Cuauhtinchan and *CDCT* for Tepeaca. For Tecali: Archivo General de la Nación, Ramo de Tierras, Volumen 25-28, various exps. (hereafter AGN); AGN, Tierras, vol. 2730-exp 2; for Tecamachalco, AGN, Tierras, vol. 2723-exp 23.

15. AGN, Tierras, vol. 27-exp 6.

16. On disputes between Tecali *caciques*, see Taylor's contribution to this volume.

17. AGNP-PT-Paq 40-exp 89-f2r/v. *CDCT* documents nos. 181; 182; 183; 185; and the documents mentioned in note 2, above. Documentation from Coyoacan in the valley of Mexico suggests the adjustments to the colonial situation there went faster than in the valley of Puebla considered here: compare the documents in *Colección de documentos sobre Coyoacan*, P. Carrasco and J. Monjaras-Ruiz, eds. (Mexico City, 1976), I, 149-158, in which the claims of the *principales* are stated in the same terms as in the province of Tepeaca in the 1570s, and the documents on Coyoacan in *Beyond the Codices. The Nahua View of Colonial Mexico*, A. J. O. Anderson, F. Berdan and J. Lockhart, eds. (Berkeley and Los Angeles, 1976).

18. *Matrícula de Huexotzinco (Ms. Mex. 387 der Bibliothèque Nationale de Paris)*, Edition-Kommentar-Hieroglyphenglossar, H. J. Prem, ed. (Graz, 1974); U. Dyckerhoff and H. J. Prem, "La estratificación social en Huexotzinco. Aspectos generales y regionales de la estratificación social," in *Estratificación social*, 157-177; Prem, *Milpa y Hacienda*; also see Dyckerhoff's essay in this volume. Prem and Dyckerhoff assume that the situation in 1560-1570 was essentially the same as before the conquest by the Spaniards, because the stratification of the indigenous society had not changed radically, see Dyckerhoff and Prem, "Estratificación," 158.

19. Dyckerhoff and Prem, "Estratificación," 160-161, 168-170; and Prem, *Milpa y Hacienda*, 59-61 for precise percentages per *barrio*.

20. Compare for example the *padrón* of San Juan Tecpan Huexotzinco in the *Matrícula*, facsimiles of fojas 482r-494r. Further, *Matrícula*, *passim*. The texts in Spanish were probably explanations of the Indian glyphs for the Spanish judge by his assistants.

21. Dyckerhoff and Prem, "Estratificación," 163-165; *Matrícula*, 50.

22. P. Carrasco, "Documentos sobre el rango de tecuhtli entre los Nahuas tramontanos," in *Tlalocan*, V (1966), 133-161, esp. 146-159; cited in Prem, *Milpa y Hacienda*, 56-57.

23. "(...) *Los resultados del recuento de 1560 de la Matrícula desenmascaron esto* (i.e. the declaration of the *principales*) *como una afirmación con una finalidad que pasaba muy lejos de la realidad*," Prem continues by remarking that in the central zone of the area of Huejotzingo 40 percent of the *macehuales* were *terrazgueros*, but 42 percent [100-(48 percent *terrazgueros* + 10 percent *principales*)] of the *macehuales* had land; Prem, *Milpa y Hacienda*, 58-60. Also see on this point the declaration of the *visitador* Valderrama cited in Prem, *Milpa y Hacienda*.

24. Actually this discussion of landownership reminds us of a similar controversy in nineteenth century literature on the division of landownership in rural medieval Europe, which was ended some decades ago by the conclusion that ownership of land was not the point, and hardly of any importance at the time. See for a summary of the discussion B. H. Slicher van Bath, *Mensch en land in de middeleeuwen* (Assen, 1945), I, *passim*. For examples of different agrarian societies in the history of Western Europe, see B. H. Slicher van Bath, *De agrarische geschiedenis van West-Europa 500-1850* (Utrecht, 1960); English translation B. H. Slicher van Bath, *The Agrarian History of Western Europe* (London, 1963) (in this essay references are to the Dutch edition).

25. Slicher van Bath, *Agrarische geschiedenis*, 28 (figure); Ch. Gibson, *The Aztecs under Spanish Rule. A History of the Indians of the Valley of Mexico, 1519-1810* (Stanford, 1964), 309-311; A. Ouweneel, *Onderbroken groei in Anáhuac. De ecologische achtergrond*

van ontwikkeling en armoede op het platteland van Centraal Mexico (1730-1810) (Amsterdam, 1989), 58-66, 191-196.

26. Compare Slicher van Bath, *Agrarische geschiedenis*, 35-61, esp. 41.

27. See G. Duby, *Guerriers et paysans. VIIe-XIIe siècle. Premier essor de l'économie européenne* (Paris, 1973), 41-69; and R. W. Southern, *The Making of the Middle Ages* (London, 1953), 71-114.

28. In Europe this was the bond of advise and assist, *auxilium et consilium*; Slicher van Bath, *Agrarische geschiedenis*, 41, 46, 161-164, 340-342; Duby, *Guerriers et paysans*, 41-69.

29. Slicher van Bath, *Agrarische geschiedenis*, 35-36, 44. For an analyses of the system of *Personenverband* in some Dutch regions see: Slicher van Bath, "Hoven op de Veluwe," in Slicher van Bath, *Bijdragen tot de agrarische geschiedenis* (Utrecht, 1978), 268-303, also *Een samenleving onder spanning. Geschiedenis van het platteland in Overijssel* (Utrecht 1957), esp. Chapter VIII: "Eigendom en pacht," 610-728, in which pages 673-728 are most important. In this last monograph the slow transition to the *Territorialverband* is described.

30. Compare R. Hassig, *Trade, Tribute and Transportation. The Sixteenth Century Political Economy of the Valley of Mexico* (Norman, 1985).

31. See the English edition of *Zorita*, edited by Keen, 93-94 (Spanish edition page 16). Also compare note 10 in the English edition, 296-297, *Zorita*, 10. See as well the educational speeches in *Zorita*, 17-25.

32. In colonial times the *tlahtoani* also were called *caciques*. I have used the term *tecuhctli*, but *teuhctli* may be used in stead; *Zorita*, 29, 36. Compare Carrasco, "Linajes nobles," 20-21.

33. *Zorita*, 30-32.

34. Carrasco, "Linajes nobles," 19-20.

35. *Zorita* sees *calpulli* and *chinalli*, and also *calpullec* and *chinallec* as the same; *Zorita*, 112-114.

36. Prem, *Milpa y Hacienda*, 58-63; Dyckerhoff and Prem, "La estratificación," 170; "Manuscrito de 1553," 86-87 and 100.

37. *Zorita*, *passim*. In Tlaxcala colonisation took place on the former "tierras de guerra"; W. Trautmann, *Der Kolonialzeitliche Wandel der Kulturlandschaft in Tlaxcala. Ein Beitrag zur historischen Landeskunde Mexicos unter besonderer Berücksichtigung wirtschaftliche- und sozialgeographischer Aspekte* (Paderborn, 1983), 197-198.

38. Compare *Zorita*, 116. Also, Dyckerhoff in Prem, *Milpa y Hacienda*, 20; and compare the division of *macehuales* in the regions of Huejotzingo. In the Triple Alliance of the Aztecs, territories and especially tributes were also divided after conquests between the alliants.

39. See for example the references to the 'tierras de mexica' which were part of the patrimonies of the lords of Culhuacan; Cline, *Colonial Culhuacan*, 127, 150. Also citation of Martín Cortés in Prem, *Milpa y Hacienda*, 54; Gibson, *Aztecs*, 258.

40. Introductory document to the *Matricula de Huexotzinco* published in *Matricula*, 33; Carrasco, "Linajes nobles," 20-21.

41. According to Prem in Huejotzingo they were *principales*; in the "Ordinanzas de Cuauhtinchan," *DTSC*, no. 40 p. 197, it was prescribed they should be *macehuales*; in Huamantla they were not *principales*; AGET-FCH-Caja 3-1570-exp 2-*passim*. They appear to be representing their communities in Huamantla AGET-FCH-Caja 3-1570-exp 2; Tecali AGN, Tierras, vol. 27-exp 6; *Zorita*, *passim*, especially 34-35; Gibson, *Aztecs*, 260; in the *Manuscrito de 1553* the leaders of the *calpulli* still state they are the leaders, even though they are degraded to *macehuales*. The *Matricula de Huexotzinco* stands as an example of the records of the leaders of the *calpulli*. It is a copy of the papers of the Indian leaders.

42. Compare W. Borah, "The Spanish and Indian Law: New Spain," in *The Inca and Aztec States*, 265-285. Also, *Zorita*, 8-10. His Franciscan sources were Fray Toribio de Benavente Motolinia, Francisco de las Navas, Andres de Olmos.
43. The term is used by *Zorita*, 31. Compare J. L. Phelan, *The Millennial Kingdom of the Franciscans in the New World. A Study in the Writings of Gerónimo de Mendieta (1525-1604)* (Berkeley and Los Angeles, 1966). This picture is somewhat exaggerated, but essentially represents the Franciscan view. The practice of communal use of land, or communal rights to usufruct, appealed to the Franciscans. In accordance with their ideal of poverty they interpreted this practice as communal property or ownership; *Zorita*, 113-114. In this context I may cite an anonymous treatise published in F. del Paso y Troncoso, *Epistolario de Nueva España 1505-1818* (Mexico City, 1939-1942), XIV, 145-146, as Hicks, "Ma-yeque y calpuleque," 71, did in his article:
- "Como los señores eran tiranos, daban todas las tierras y vasallos y quitabanlas y a ellos a su voluntad, y [los macehuales] así no eran propiamente señores o dueños de las tierras, sino terrazgueros o solariegos de los señores, de manera que se podría decir que todas las tierras, montes y campos, todo estaba a voluntad de los señores y era suyo porque lo tenían todo tiranizado y así vivían a viva quien vence y lo que ganaban todo lo repartían los señores entre sí."*
44. *Zorita*: on calpulli leaders p. 35; on *teccalli* p. 112; on *tlahtoani* pp. 17-25; on the exchange of gifts p. 120. Huitzilopochtli, the Aztec wargod, was deserted by many Indians after the conquest by the Spaniards. He had not protected the Aztecs, and had thus lost his rights to sacrifice and services; F. F. Berdan, "Replicación de principios de intercambio en la sociedad Mexica: de la economía a la religión," in *Economía política e ideología*, 175-193. My conclusion is in contrast to the redistribution thesis of Polanyi; compare on this point the articles of Carrasco and Berdan in *Economía política e ideología*.
45. See Hassig, *Trade, Tribute and Transportation*, who compares the Aztec Empire to the Roman Empire, but a comparison to the Carolingian Empire is more adequate. See on this issue "Reich," in *Geschichtliche Grundbegriffe. Historisches Lexicon zur politisch-soziale Sprache in Deutschland*, (Stuttgart, 1984), V, 423-508; *Dictionary of World History* (London, 1973), 1435. In Weberian sense it is more a '*patrimoniale Herrschaft*' or a '*feodale Herrschaft*'; see for example N. P. Mouzelis, *Organization and Bureaucracy. An Analysis of Modern Theories* (London, 1967), esp. Chapter 1, 7-54. Also see definitions of state and bureaucracy in C. Seymour Smith, *Mac Millan Dictionary of Anthropology* (London and Basingstoke, 1986).
46. Compare Pietschmann, *Staat, passim*.
47. *Zorita* rightly states that the orders of the Crown that the Indian lords and the Spanish authorities should get their tributes and that the tributes should also be moderate, is impossible: "*It appears to me that this implies a contradiction, for if they pay the caciques and lords what is due to them, and if the encomenderos receive their due share of tribute, the total cannot be less than the amount they paid their caciques and lords in the time of their heathendom, but more than double as much,*" the English edition by Keen, 327; Spanish edition, 166-167.
48. *Zorita*, 129; Diego Muñoz Camargo, *Historia de Tlaxcala. Crónica del siglo XVI* (Mexico City, 1978), 103. *Zorita*: The lords have to appeal to be exempted from tribute obligations, but "*since the lords do not know how to appeal, nor to whom an appeal should be directed, or before whom it should be made, and since they do not have the money needed for litigation, they lose their liberty [of tributes], and their mayequés and lands as well. For the mayequés rise up against their lords and seize their land, declaring that it belonged to their forebearers and now belongs to them. Since Spanish officials do not understand how this land was held, the mayequés have their way,*" the English edition by Keen, 199-200; Spanish edition, 129, also compare, p. 48.
49. *Zorita*, 38; Gibson, *Aztecs*, 258.
50. See for example DTSC no.28, p.149-158. But for many other areas similar documents exist.

51. *DTSC* no. 20, p. 143.

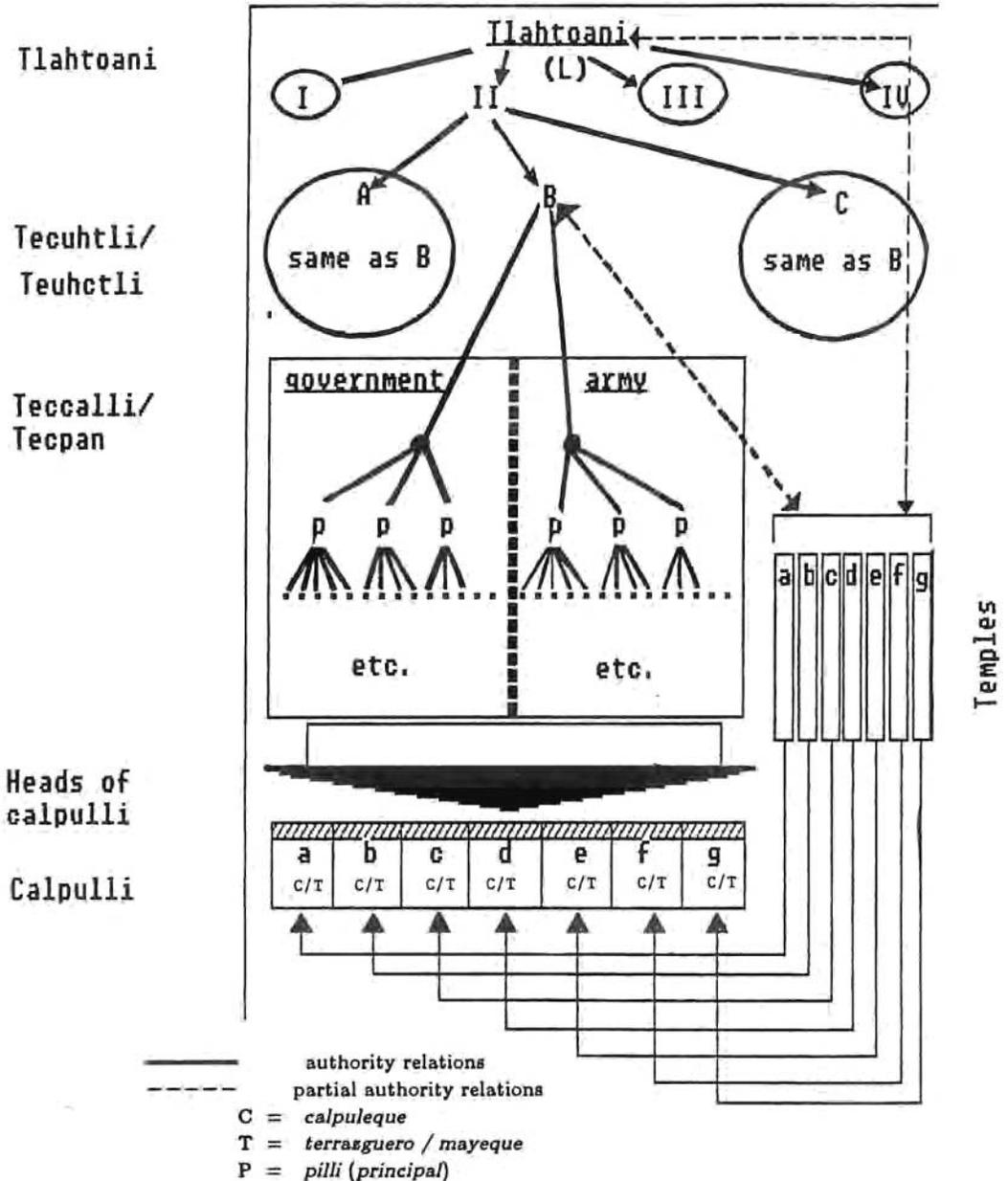
52. Compare the litigation between Cuauhtinchan and Tepeaca of 1547, *DTSC* no.1, p. 30.

53. *CDCT* no. 203, pp. 549-553; no. 209, pp. 581-582.

54. See for example the testaments dating from after 1600 in *DTSC* and *CDCT*. For sales of land see Prem, *Milpa y Hacienda, passim*. From the archives it appears that in Tepeaca and Tlaxcala happened more or less the same. In the valley of Mexico the developments probably went faster. For the developments in the *Sierra Norte de Puebla* see: García Martínez, *Pueblos de la Sierra*.

55. B. H. Slicher van Bath, "Spanje en de Peruaanse Andes na de Conquista. Een botsing tussen twee sociale en economische systemen," in B. H. Slicher van Bath, *Indianen en Spanjaarden. Een ontmoeting tussen twee werelden, Latijns Amerika 1500-1800* (Amsterdam, 1989) and the literature mentioned, esp. K. Spalding, *Huarochiri. An Andean Society under Inca and Spanish Rule* (Stanford, 1984); and S. J. Stern, *Peru's Indian Peoples and the Challenge of Spanish Conquest. Huamanga to 1640* (Madison, 1982).

APPENDIX: AUTHORITY STRUCTURES OF PRE-HISPANIC CENTRAL MEXICO



The chosen leader (L) is *tlahtoani* I. For that reason there is no authority relation from L to I. Only the complete relations in the line L - II - B - downward are given. The other branches have the same structure as the one represented. Other relations between *calpulli* and temples than represented here are possible, for example when more *calpulli* share one temple only. Tribute supplies go in the opposite directions, following the lines of authority. For further explanations; see text.

CHAPTER FOUR

A Note on the *Composiciones de Tierra* in the Jurisdiction of Cholula, Puebla (1591-1757)

MA. CRISTINA TORALES PACHECO*
Universidad Iberoamericana, Mexico City

I

The acknowledgment of land tenure as a determining factor in the development of agrarian change has stimulated the study of the appropriation and legalization of land in the history of colonial Mexico. This research note is part of a study in progress on the history of landownership in the modern state of Puebla. It focusses on data of the notary records of the province of Cholula, especially the data concerning the enforcement of the laws on the *composiciones de tierra* dictated by the Spanish state in the sixteenth and seventeenth centuries.¹

The documents studied allow us to understand how the *composiciones* of 1643, the *composiciones de tierra* of Indian communities of 1709, and the *composiciones de tierra* of Spanish property of 1711-1717 were carried out. They also provide an opportunity to access the reaction to the attempts to execute the *real cédula* (royal bill) of 1754 in Cholula, which proposed an agrarian reform threatening the interests of the Spanish proprietors. A particular advantage of such a study of legal proceedings is that it permits us to observe the process of transfer of landownership from Indians to Spaniards. In this way we are able to witness the formation of the *haciendas* and its legalization by the Spanish state.²

* I would like to express my gratitude to the *Universidad Iberoamericana* and to the *Consejo Nacional de Ciencia y Tecnología* for the support given to me in order to present this essay in the 46th International Congress of Americanists.

II

At the time of the conquest Cholula was an urban center with a large population whose economic base was in agriculture. According to Gerhard, there lived at that time between 40,000 and 100,000 families in the province. The lands were settled and intensively cultivated. Although in the first years after conquest the Crown proposed to preserve Indian land tenure in conformity with the survival of the ancient tributary system, the law was not strictly enforced. According to current knowledge, in the second half of the sixteenth century when the population died after several epidemics, Spaniards gradually and as yet illegally appropriated the deserted lands in their possession. After the massacre of 1519 and two epidemics, in 1576 and in 1586-1587, the number of tributaries had fallen from 20,000 in 1531 to 13,640 in 1564, and to 2,873 tributaries in 1643.³ Such a downfall must have caused an impressive evacuation of the lands. Although the land was taken by the Spaniards, legalization of it was delayed until the seventeenth and eighteenth centuries. Then a sudden turn in Spanish policy granted the Spaniards their legal titles. Among other reasons, this was the result of the bankruptcy of Spanish treasury. The financial collapse followed a period of constant warfare caused by Spain's determination to maintain its hegemony in Western Europe.

The Spanish monarchs sacrificed several of their protective aims in favor of the Indians, as well as their objections to the formation of large landholdings. Although on June 26th, 1523, Cortés was granted powers to effect the distribution of land, the Crown at first reserved to itself the confirmation of whatever the conqueror distributed. The Crown sought, at that time, to keep perpetual ownership of the means of production. Later, on February 17th, 1531, the king granted this right to the *Audiencia*. One result of this authorization was the foundation of the city of Puebla, which would become an urban center populated by Spanish farmers who in turn would substantially influence the agrarian process in Cholula. In 1535 the Viceroy was also granted authority to parcel out land and all authority was then limited to *Audiencia* and Viceroy. But they could only act with the consent of city and town councils, and even then with the specific proviso not to leave the indigenous people landless. In the second half of the sixteenth century both the *Audiencia* and the Viceroy took advantage of this concession in densely populated areas, like the valleys of Mexico, Puebla-Tlaxcala and Toluca. While it is true that the Crown insisted on the confirmation of land ownership by Indian communities, Spaniards were also granted lands.

The most important grants to private persons were the so-called *mercedes de tierra*, or royal land grants. These contributed to the formation of *haciendas* and *ranchos* in Cholula. Out of 55 private properties in the early eighteenth century, only 20 were underwritten by *mercedes de tierra* dating from 1579 to 1693. The greater part of these were issued by Viceroy Gaspar de Zúñiga y Acevedo, *Conde de*

Monterrey, between 1598-1603, and by Viceroy Diego Fernández de Córdoba, *Marqués de Guadalcázar*, in 1613. At that time, the state policy against large landholdings was still observed, because these grants were limited to parcels of 2 to 3 *caballerías*.⁴ In 1548 the jurisdiction of Cholula had six so-called *cabeceras*, which seem to have been *barrios* within the city, and 35 *estancias*, or outlying settlements subordinated to a town (*pueblo*). Out of 42 towns that manifested their titles of ownership in 1709, nine had received the royal provisions to confirm the rights on their landownership, granted at the end of the sixteenth century.⁵ Most of the others had received official grants between 1601 and 1704. Eight towns stated that they had no titles whatsoever and claimed ownership of land they kept in usufruct or on which they had settled.

However, in this respect, the selling of land was much more important than the *mercedes*. In the latter decades of the sixteenth century there were innumerable sales of land by Indians, who needed royal permission to do so. The first reason to sell land was the evacuation of it after the epidemics. A second reason to sell lands were the tax-debts; quite often, the Indians who requested approval to sell land expressed the need of funds to fulfill their tax duties. These transactions, sometimes pressed by local Spanish authorities, favored the formation of Spanish *haciendas* in the heart of former Indian regions like Cholula. An example of this were the numerous acquisitions made by Antón Martín, *teniente* (deputy) of the *alcalde mayor* of the province, and by Hernando de León, *escribano* (clerk) of the local government, between 1588 and 1600 (see Appendix).

Other buyers of Indian lands were Spanish or *mestizo* immigrants. Several of them were speculating with these lands, like Pedro Alvarez Botello from the town of Atlixco, and, Francisco Martín López, the *mestizo* Diego Carranza, and Diego de Cosa, all residents of Cholula. Evidence of this speculation can be found in the land acquisitions that formed (1) the *rancho* San Antonio Tenamastla, in which appear the purchases by Diego Carranza and Hernando de León, (2) the *hacienda* San Juan Buenavista based on transactions by Diego de Soria, Juan de Castañeda, Pedro Alvarez Botello and Diego Carranza, and (3) the *hacienda* de Chipilo, which was made up through purchases of land by Hernando de León, see Appendix. Out of 55 private properties which presented their land titles to the government in the period 1711-1717, 31 had the acquisition of lands from Indian owners as their basis. Two of these properties were constituted in the seventeenth century and another two in the eighteenth century (1701-1711).

Not all buyers were of Spanish origin. In Cholula we find *indios principales* (lower Indian nobles) who were assimilated into the land-owning class and acted as intermediaries in land purchases as well. In fact some of them became *hacendados*, like Juan de León y Mendoza, the *cacique principal* (higher Indian noble) of Cholula, who acquired various pieces of land between 1707 and 1716. With these lands, a

total of 5 *caballerías* and 552 *varas*, he formed the *rancho* Jesús Nazareno.

III

At the end of the sixteenth century the land distribution in the province of Cholula was completed. There were *haciendas*, formed by *mercedes de tierra* and purchases of small plots from Indians, and settlements in untilled areas. Because of the difficult situation in the Indian economy after massive depopulation, the Spaniards themselves had to produce the food for the cities, where demand was growing. As a consequence the price of land increased. The Crown, which had previously granted land to private individuals in payment for their services or as a stimulus to the people, changed its policy and decided in favor of selling lands. By the time the monarch had managed to consolidate his absolute power, he proposed to extract economic support from the colonists to strengthen the royal treasury, which was decimated by continued warfare in Europe.

In 1578 the Crown ordered colonial authorities to check all land titles. Owners who could not present such proper titles should lose all rights of property. But this law was left on the books. Three years later, on the 13th of November 1581, the Viceroy was ordered to prepare a report on unused land, including the appraisal of its value and possibilities of sale. The same decree included a request for information on the amount of money which the owners of land who wished to obtain legal titles could contribute. This law was the forerunner of the *composiciones de tierra*, which were issued ten years later, in 1591, when king Philip II lacked resources to finance his European policy in favour of the Catholic Counterreformation. He decided to apply a series of revenue measures in order to extract abundant funds from his American territories. Among these he instituted *composiciones* that would include *composiciones* of foreigners, *composiciones de mestizos* and *composiciones de tierra*. These *composiciones* were mentioned to legalize an illegal situation, like settlements of foreigners or by *mestizos*. All that was required was the payment of a certain amount of money to the royal officials.

The *composiciones de tierra*, which were part of this measure, were proclaimed by means of five *reales cédulas* signed at El Pardo, Madrid, in 1591. In the first bill (*cédula*) the king reminded his subjects of his dominion over all American territories and how his predecessors had reserved for the monarchy the right of 'royal confirmation of all that had been parceled out by his representatives in the Indies'. He considered it necessary to restore to the Crown all usurped lands, and for that purpose he demanded that all landholders present their titles. In the second bill he indicated to his Viceroy that he would agree to a *composición*, i.e. he would accept an amount of money in order to legalize landholding, because he would not like to harm those

who had already settled, those whose titles showed some irregularity, or those who were lacking any. The third bill, directed to the *Audiencias*, confirmed the reasons why the Crown had been obliged to apply for *composiciones* and requested full support for their enforcement. A fourth bill was expedited to the municipalities in the realm to demand support for the Viceroy. And the fifth bill was sent to the highest Church officials, the bishops, in order to support the execution of the decree on the *composiciones de tierra*. The prime objective, as it was stated, was the defense of the faith in the American territories by means of the creation of an army that would watch over the Caribbean, the key to the new world.

In spite of the Crown's insistence in carrying out the *composiciones* during the first decades of the seventeenth century, these were applied only in very isolated cases and only to those private individuals who themselves requested the Crown the purchase of idle lands (*bal-dios realengos*). Viceroy Luis de Velasco the younger suspended the application of the decree on the *composiciones de tierra*, because he considered it one of those decrees that to his knowledge and experience seemed detrimental to the kingdoms he governed. Velasco justified this cancellation by stating to the king that in New Spain the farmers had been affected by the decrease of field hands as well as by continuous droughts. He thought that if the king really insisted upon putting the *composiciones de tierra* into effect, he would slow down the economic development of New Spain and would foster the spread of poverty.⁶

At the end of the sixteenth century Philip II died. The economic crisis in which he left the empire hardened, but his successors, Philip III and Philip IV, maintained the state of war that had led to the loss of Spain's political hegemony and to the bankruptcy of the treasury. The constant siege of the American territories by their enemies -England, Holland, Portugal and France- forced Philip IV to reissue the decree of the *composiciones de tierra* in order to finance his marine.

In 1635 king Philip IV ordered the application of the *reales cédulas* of 1591. The first real attempt to enforce them was during the administration of viceroy Diego López Pacheco Cabrera y Bobadilla, *Duque de Escalona y Marqués de Villena*, 1640-1642, who appointed judges for the revision of titles and the surveying of lands. However, when these officials were about to leave for the provinces all operations were suspended under the pressure exerted by the town council of Mexico City, which on behalf of the farmers requested that each village government assume the *composiciones de tierra* as well. The process was again halted and it took a few years until in 1643 the operations were renewed. Once again preparations were made for the sending of judges to the provinces. The first officials were sent to the provinces of Chalco, Huejotzingo, Cholula and Atlixco. At the moment the local *hacendados* saw them coming, they requested again the suspension of individual *composiciones* and proposed to include a general provincial payment. Their arguments were as follows: (1) the

high cost of maintaining the surveyors in each province, because they would need a lot of time controlling all titles; (2) the slowness of the process, which would prevent the Crown from obtaining immediate benefits; and (3) the extreme poverty in which they found themselves as they had suffered grave problems in the preceding five years because of droughts. The state, in need of funds, was convinced by the second argument. The residents of Atlixco were the first who managed to obtain a concession by the payment of 20,000 *pesos*, an amount which was divided among them according to the quality and size of their properties. Soon followed the payments of Huejotzingo, Cholula, Tepeaca, Tecali and after these the remainder provinces in Puebla. The *hacendados* of Cholula offered only 14,000 *pesos*, arguing that, unlike those of Atlixco, they collected only one harvest a year. The Viceroy approved the proposal officially in June 1643, confirming that "*whatever titles of sale and purchase that the owners of these haciendas, lands watterights, huts, mills might have, shall be cleared of omissions, defects or vices.*"

IV

The procedure of the *composiciones de tierra* meant a weakening of the total control by the Crown over land distribution in the Viceroyalty. Private sales of land became the rule. The *composiciones* were carried out all over New Spain between 1643 and 1645. The Crown collected 509,103 *pesos* as a contribution to the Caribbean Fleet (*Armada de Barlovento*). This amount was paid by private landowners and religious orders which owned *ranchos* and *haciendas*. Indian communities were excluded.

Because the property titles were not strictly revised, the Crown had left open the possibility of another round of *composiciones de tierra* later on. In 1707, king Philip V took advantage of this opportunity and requested the collection of funds for transfers of lands and watterights in favor of funding "*the armies and warfare and the defense of the legitimate dominions of his majesty.*" This time, the Indian communities were included in the arrangement. The *real cédula* was applied in New Spain between 1709 and 1711. No opportunity was given to escape the meticulous review of property titles. In cases of irregularities, detailed reports were made of how the property was build up, called *vistas de ojos*, information of ownership was checked and measurements of it were taken. All this included the *composiciones de tierra*, for which the owner would have to pay a certain sum of money.

In Cholula, on April 27th, 1709, the Indians had 20 days to present titles of their land ownership. At first, their spokesman Francisco Garcés tried to suspend the process by pointing at the poverty under which they lived. The epidemics of 1691-1694 had not only caused the death of about 14,000 Indians, but had caused tax debts, and a

scarcity of maize as well. Nothing could be harvested, because no sowing had taken place because of the construction of a bridge over the river Atoyac. He further declared that many residents of the area were working on *haciendas* outside the province, because the Indians had "no house to live in" or "land to sow." These arguments, which were always used in cases of tax obligations, could not impress the judge and the Indians were obliged to pay for *composiciones de tierra* of lands in which they had no proper titles and which exceeded the 600 *vara* township.

Six *cabeceras* received their *composiciones*: Santiago, San Pablo, San Juan, Santa Maria, San Miguel and San Juan Quauhtlancingo. But also the 42 dependent villages, the *sujetos*, paid for their *composiciones de tierra*. The payments varied between 5 and 60 *pesos*, depending on the extent of the irregularities of the titles and the sizes of landholding. All contributed to the amount of 1113 *pesos* in all, distributed according to their importance. Most *pueblos* owned lands in excess of the 600 *vara* townships. The average size of this exceeding property was 2 *caballerías*, or 86 hectares, although there were towns like Santa Clara Ocoyuca and San Francisco Acatepeque which owned some 8 *caballerías* (345 hectares). Some villages, San Bernabé for example, were exempted from payment, because they could prove they were too poor. The payment promised the towns definitive official and legal confirmation of their landownership and exemption from any future *composiciones*, and, indeed, so it was, because when in 1716 a new round of *composiciones de tierra* was announced, the *composiciones* of 1709 were sufficient to escape another payment.

For their part of the payments the Spanish farmers tried to impede the process in 1710. They declared to the authorities that in addition to the *composiciones* of 1643, they had already granted the Crown a *donativo gracioso* in 1696. They also referred to the misfortunes they had experienced and to the smallness of their *haciendas* and *ranchos* due to the high number of Indian villages that owned land in the province. But the authorities did not accept these arguments and obliged each of them individually to present their titles. Between November 6, 1711, and August 21, 1717, 55 owners of *haciendas*, *ranchos*, and mills in effect presented their titles. Of these, 30 were not made up according to the law, were deficient, or lacked titles all together and had to pay for *composiciones*. The average size of these properties was between 4 and 6 *caballerías* (172-258 hectares), but there were landowners who possessed up to 28 *caballerías*, or about 1200 hectares. The average payments for the *composiciones* varied between 15 to 100 *pesos*. At the same time *composiciones* were executed on houses and orchards of Spaniards living in the city of Cholula, for which the Crown demanded the payment of 200 *pesos*.

V

To conclude, I would like to point to the symbolic result of the *composiciones de tierra*: towards the end of 1717 the Crown had sold all its rights over the distribution of land in Cholula. A last attempt at reviewing property titles was made in 1754, part of the first manifestations of the Bourbon Reforms. On this occasion landowners presented themselves before the authorities with the *composiciones* of 1643 and 1711. They demanded that these should be respected. In addition they stated that no new payments could be made anyway, because they lacked resources. They were all indebted to the church in the city of Puebla. Despite the fact that the *alcalde mayor* found irregularities in some titles, like those of the *hacienda* San Bartolomé, which had encroached upon Indian lands, the landowners in Cholula managed to evade the application of the *real cédula* by donating 100 pesos to the Crown. One can say that around 1717 all Indian villages as well as Spanish landlords possessed titles to their land.

ENDNOTES

1. The *composiciones de tierra* should be understood as the process whereby the Spanish Crown, after payment of money, gave title of ownership to those subjects in possession of land who did not legally own it at that time.
2. The documents of the *composiciones de tierra* are to be found in the Biblioteca Nacional de México, Sección de Manuscritos, Fondo de Tierras, cajas 5 to 9.
3. Peter Gerhard, *A Guide to the Historical Geography of New Spain* (Cambridge, 1982), 115.
4. A *caballería* was a land measure equivalent to about 95 acres or 43 hectares. A *vara* was a linear measure equivalent to almost 84 centimeters.
5. On the data of 1548, see Gerhard, *Guide*, 115. The *pueblos* that obtained royal disposition of their lands in the sixteenth century were San Francisco Acatepeque (April 9, 1587), San Miguel Papastla (June 15, 1587), San Pablo Aguatemala (June 19, 1587), San Antonio Cacalotepeque (September 3, 1587), San Bernardino Tlascalancingo (August 14, 1588), Santa Bárbara (September 16, 1588), San Bernabé (March 17, 1589), San Gregorio Atzompa (June 15, 1589), and Santa Clara Ocoyuca (August 28, 1589).
6. Archivo General de Indias, Audiencia de México, leg. 22, exp. 95.

APPENDIX: THE FORMATION OF TWO HACIENDAS AND ONE RANCHO

[composiciones de tierra 1711-1717]

estate	dimensions	composición	títulos	
1 Hacienda San Juan Buenavista Gertrudis Muñoz de Morales Vda. de Alonso Sánchez Picaso	Labor: wheat	March 13, 1711 no se compren- den 8 caba- llerías por presentar mer- ced; 18 se le suple y dis- pensa por obtener la composición de 1643	1594 1595 1596 1596 1596	23 IX. Sale. Gabriel Zamora, indio, to Diego de Soria 100x40/14ps 16 XII. Sale. Diego Carranza to Diego Soria 20x10/30ps 31 X. Sale. Domingo Olin, indio, to Alonso Cobos 4 pedazos, 1 de 10 apantlis 1 de 6 apantlis, 2 de 3 apantlis 8ps 31 X. Sale. Pascual de Mansilla, indio, to Alonso Cobos 1 pedazo en el pago de Cacalotepeque, 30 apantlis 13ps 23 XI. Sale. Pablo Pérez to Juan de Castañeda 160x70/13ps 23 XI. Sale. Veronica, india, to Juan de Castañeda 160x70/13ps 4 I. Sale. Baltazar Pérez, indio, to Pedro Alvarez Botello, 150x100/12ps 4 I. Sale. Agueda Cosi, india, to Pedro Alvarez Botello 3 pedazos: 155x55, 150x65, 150x50/23ps 4 I. Sale. Simón Xalmistli to Pedro Alvarez Botello 100x50/15ps 14 II. Sale. Gaspar de Aquino, indio, to Diego de Carranza 8 apantlis/9ps 1598 26 II. Sale. Baltazar Pérez, indio, to Diego de Carranza 60x20/15ps 1598 ? II. Sale. Melchor Sánchez, indio, to Diego de Carranza 60x30/5ps 1598 28 II. Sale. Miguel Sánchez, indio, to Diego de Carranza 40x40/5ps 1598 5 III. Sale. Diego Quapayagua, indio, to Diego de Carranza 100x60/15ps 1598 20 VI. Sale. Luis de Ynojosa to Diego de Carranza 80x40/20ps 1598 22 IX. Sale. Pablo Ortíz, indio, to Pedro Alvarez Botello 2 mecatas: 150x130, 50x60/28ps

exp. 5, f. 271

<i>estate</i>	<i>dimensiones</i>	<i>composición</i>	<i>títulos</i>	(Continued)
1598	21 XI. Sale.	Pedro Hernández to Pedro Alvarez Botello	2 pedazos: 50x30, 200x100/30ps	
1598	21 XI. Sale.	Pedro Hernández to Francisco Rodríguez	9 pedazos/ ?ps	
1598	21 XI. Sale.	Pedro Hernández to Pedro Alvarez Botello	2 pedazos: 40x30, 200x140/30ps	
1598	23 XI. Sale.	Juan de Castañeda to Alonso Cobos	2 mecatas: 160x60/85ps	
1598	23 XI. Sale.	Juan Galicia, indio, to Francisco Rodríguez	126x90/16ps	
1598	23 XI. Sale.	Diego Tasagua and others, indios, to Francisco Rodríguez,	7 pedazos: 687x348/28ps	
1598	24 XI. Sale.	Juan Ximénez, indio, to Francisco Rodríguez	185x189/29ps	
1598	26 XI. Sale.	Diego Maltazin and more indios to Pedro Alvarez Botello,	3 pedazos: 100x50, 100x30, 50x25/28ps	
1598	26 XI. Sale.	Lorenzo Valiente, indio, to Pedro Alvarez Botello,	300x200/28ps	
1598	26 XI. Sale.	Gabriel Soto and others, indios, to Pedro Alvarez Botello,	400x150/28ps	
1598	26 XI. Sale.	Diego Bernabé to Pedro Alvarez Botello	400x150/26ps	
1598	26 XI. Sale.	Ana, india, to Pedro Alvarez Botello	200x110/26ps	
1598	26 XI. Sale.	Diego de Soria to Pedro Alvarez Botello	1 pedazo/270ps	
1598	26 XI. Sale.	Gabriel Tececa and others to Francisco Rodríguez	6 pedazos each 35x150; 2 pedazos: 100x40, 80x50/28ps	
1598	26 XI. Sale.	Francisco Quetlastle, indio, to Francisco Rodríguez,	170x160/ ?ps	
1598	26 XI. Sale.	Miguel Mendoza to Francisco Rodríguez	250x200/29ps	
1598	26 XI. Sale.	Melchor Quesques, indio, to Francisco Rodríguez	300x200/28ps	

estate	dimensiones	composición	títulos	(Continued)
1598	26 XI. Sale.	Dionisio Quasi, indio, to Francisco Rodríguez		200x150/20ps
1598	26 XI. Sale.	Melchor Cuatayagua, indio, to Francisco Rodríguez,		300x200/28ps
1598	26 XI. Sale.	Dionisio Quasi to Francisco Rodríguez		200x150/20ps
1598	26 XI. Sale.	Gabriel Tescua and others to Francisco Rodríguez		6 pedazos of 30x100; some of 100x50, 1 of 80x50/28ps
1598	26 XI. Sale.	Miguel Mendoza to Francisco Rodríguez		250x200/29ps
1598	26 XI. Sale.	Francisco Ayitlalte, indio, to Francisco Rodríguez,		10ps
1599	14 I. Sale.	Juan Pérez, indio, to Pedro Alvarez Botello		150x84/28ps
1599	24 X. Sale.	Pablo Ortiz, indio, to Francisco Rodríguez		3 pedazos; 71x60, 75x63, 94x68/24ps
1599	24 X. Sale.	Diego de Carranza to Pedro Alvarez Botello		pedazo/450ps
1613	25 IV. Sale.	Marqués de Guadalcazar to Francisco Rodríguez		4 cab./ ?ps
1613	15 V. Sale.	Marqués de Guadalcazar to Melchor de los Reyes		4 cab./ ?ps
1630	26 III. Sale.	Pablo Rodríguez to Bernabé de Sepúlveda Hda. Cacalotepeque/9000ps		
1635	6 XI. Sale.	Alonso Vásquez y Botello, vecino de Atlixco, 5000ps to Hernando López Cordero, the Hda. Buenavista		
1651	23 II. Sale.	Hernando López Cordero to Pedro Fernández de Isla, alférez, 11700ps, Hacienda and other estates		
1651	13 XI. Remate por bienes de Bernabé Sepúlveda to Juan de San Vicente a nombre del Convento de Santa catalina de Sena, Ciudad de Puebla de los Angeles por el principal de un censo y réditos, Hacienda Cacalotepeque			
1655	26 II. Sale.	Convento de Santa Catalina to Pedro Fernández de Isla, alférez		4000ps Hacienda Cacalotepeque

estate	dimensions	composición	títulos	(Continued)
			1661	14 III. Posesión por la Real Justicia, to Pedro Fernández de Isla, alférez Hacienda de labor y rancho
			1665	30 VII. Aplicación. Ana Rodríguez, Vda. del Cap. Pedro Fernández de Isla, to Alonso Sánchez Picaso, alférez. Hdas. Buenavista and Cacalotepeque, rcho. Ayotepec
			1674	10 X. Información de Alonso Sánchez Picaso, de gozar de manantiales con que riega su hda.
			1693	31 XII. Testimonio de división de bienes de Alonso Sánchez Picaso Se aplicaron a su esposa la Hda. Buenavista y rcho. Cacalotepeque

estate	dimensions	composición	títulos	
2 Rancho San Antonio Tenamastla Don Juan Tenorio de la Banda	8 caballerías merced de agua del arroyo Quiquilac	February 14, 1711: 3 cab. no se comprenden; 5 se le admiten a composición 50ps	1596	. Sale. Diego de Carranza to Hernando de León 8 pedazos, 250ps
E: Road to Atlixco W: Pueblos San Luis y San Gregorio Ozompa N: Pueblo de Tonanzintla S: Hda. Don. Antonio Bustamante (see next case)			1596	. Sale. Antonio Casi, indio, to Diego de Carranza 50x30/5ps
			1596	. Sale. Gabriel Pancos to Diego de Carranza 40x20/6ps4r
			1596	16 I. Sale. Melchor Pancos, indio, to Diego de Carranza 40x30/4ps4r
			1596	16 I. Sale. Gabriel Pérez, indio, to Diego de Carranza 1 pedazo, 20x15/ ?ps
			1596	20 I. Sale. Miguel Sánchez, indio, to Diego de Carranza 60x40/4ps4r
			1596	20 III. Sale. Miguel Ramírez and Gregorio de Santa María, indios, to Hernando de León, 29x13/3ps
			1596	20 III. Sale. Caquistli, indio, to Hernando de León 42x21/4ps
exp. 5, f. 276			1596	27 III. Sale. Francisco Quantli, indio, to Hernando de León 29x9/2ps

<i>estate</i>	<i>dimensions</i>	<i>composición</i>	<i>títulos</i>	(Continued)
1598			29 X. Merced. Conde Monterrey to Alvaro de Cásares, vecino de Puebla; water from the arroyo Quiquilaque	
1598			16 XI. Declaration. Alvaro de Cásares sacó la merced para Fernando de Ortega	
1610			21 IV. Declaration. Domingo Aldabe, señala que 2 caballerías de que pidió merced eran de Gregorio de Figueroa	
1610			22 X. Declaration. Domingo Aldabe, 2 cab. de que tiene merced pertenecían a Francisco Rodríguez	
1610			22 X. Merced. Marqués de Salinas, 2 caballería de tierra a Domingo de Aldabe	
1614			20 V. Merced. Marqués de Guadalcazar to Francisco Rodríguez	3 caballerías
1616			29 X. Sale. Diego de Santa Cruz and Catalina de Aguilar to Francisco Rodríguez	1 caballería/800ps
1622			2 IV. Sale. Juana de Isla to Francisco Rodríguez	1 hacienda de labor, 3 caballerías/2600ps
1630			22 III. Sale. María Luisa Galbán, widow of Francisco Rodríguez Núñez and el bachiller Pablo Rodríguez to Dr. Juan Godines Maldonado,	8 caballerías/8000ps
1641			18 V. Change in ownership: Hacienda de Tenamastla to Alonso Sánchez de Almazán and Hacienda de Chipilo to Cristóbal Lazo de la Vega	
1642			29 XII. Remate de Hda. de Tenamastla to Domingo Pérez,	8630ps
1643			31 I. Declaration. Domingo Pérez had bought de Hda. in the name of Andrés del Castillo, living in Puebla de los Angeles	
1676			17 VIII. Sale of Hda. Tenamastla. Joseph Hernández and Catalina Sánchez to Miguel de Avgon.,	8 caballerías/6800ps
1678			?? Sra. widow Andrea de Zesar took possession of hda.	
1685			14 XII. Exchange of ownership between Bernardino Domínguez and Andrea de Zesar, Hda. Concepción in exchange of Hda. Tenamastla	
1686			15 VI. Sale. Bernardino Domínguez, presbitero, to Juan de Vega,	Hda. Tenamastla/7200 ps

estate	dimensions	composición	títulos	(Continued)
			1705	14 I. Sale. Juan de Vega to Joseph De Sosa Victoria, pres- bitero, Hda. San Antonio Tenamastla 6 caballerías/9500ps
			1709	11 V. Sale. Joseph de Sosa to Diego Thenorio de la Vanda 6 caballerías/10000ps

estate	dimensions	composición	títulos	
3 Hacienda San Diego Chipilo; Antonio de Bustamante, presbitero E: Road to Atlixco W: Hda. Domingo Picaso N: Hda. Tenamastla S: Pueblo San Pablo Aquateman exp. 6, f. 303	10 caballe- rías and 29 pedazos de tierra	August 21, 1717 no composi- ción por presentar merced. 25ps	1596	30 III. Sale. Mateo Tozin to Hernando de León 50x20/12reales
			1596	30 VIII. Sale. Pablo Pérez, indio, to Hernando de León 60x50/12ps
			1596	2 IX. Sale. Gaspar Naxeh, indio, to Hernando de León 36x10/2ps
			1596	2 IX. Sale. Antonio de Torres to Hernando de León 36x10/2ps
			1596	2 X. Sale. Antonio de Torres to Hernando de León 63x40/15ps
			1596	11 XI. Sale. Pascual de Tapia, indio, to Hernando de León 50x24/3ps
			1597	2 I. Sale. Gabriel Quautli to Hernando de León 39x16/3p2r
			1597	10 I. Sale. María Quique to Hernando de León 2 pedazos: 24x12, 40x20/ ?ps
			1597	11 I. Sale. Juan Xiquetl, indio, to Hernando de León 85x65/11ps
			1597	2 II. Sale. Domingo López, indio, to Hernando de León 2 pedazos: 80x40, 300x23/ ?ps
			1597	17 III. Sale. Gabriel Hotzi, indio, to Hernando de León 80x15/4ps
			1597	26 IV. Sale. Juan Pérez to Hernando de León 34x10/12r
			1597	26 IV. Sale. Miguel Sánchez to Hernando de León 40x8/3p5r

<i>estate</i>	<i>dimensions</i>	<i>composición</i>	<i>títulos</i>	(Continued)
1597	26 IV.	Sale.	Miguel de la Cruz to Hernando de León	90x40/6ps
1597	26 IV.	Sale.	Lorenzo Quautli to Hernando de León	100x20/4ps
1597	3 X.	Sale.	Francisco Quautli to Hernando de León	60x30/28ps
1597	21 XII.	Sale.	Xuachin Tespotoca	100x45/28ps
1598	2 I.	Sale.	Gaspar Teacalco to Hernan de León	80x65/5ps
1598	1 V.	Sale.	Susana de Mendoza to Hernando de León	60x40/10ps
1598	27 VI.	Sale.	Gaspar de Aquino to Hernando de León	160x100/26ps
1598	30 VI.	Sale.	Diego Tecocol to Hernan de León	140x80/25ps
1598	28 VII.	Sale.	Antonio Martín to Hernando de León	2 mecatés: 115x65, 80x65/25ps
1598	28 VII.	Sale.	Francisco Tencatl to Hernando de León	100x100/13ps
1598	1 VIII.	Sale.	Miguel, indio, to Hernan de León	70x40/7ps
1598	1 VIII.	Sale.	Melchor Tecaqueque to Hernando de León	130x80/7ps
1599	13 I.	Sale.	Antonio de Torres to Hernando de León	118x62/10ps
1599	28 I.	Sale.	Juan Díaz to Hernando de León	50x35/5ps
1599	22 III.	Sale.	Francisco Pérez to Hernando de León	70x50/3ps
1599	19 VI.	Sale.	Diego Quapayagua to Hernando de León	2 pedazos: 98x ?, 40x25/20ps
1600	14 VIII.	Sale.	Francisco Pérez to Hernando de León	100x60/14ps
1603	13 X.	Merced.	Conde de Monterrey to Sancho Garza	3 caballerías
1612	17 V.	Merced.	Audiencia to Antonio de Céspedes	3 caballerías
1617	8 VIII.	Merced.	Marqués de Guadalcazar to Diego de Santa Cruz	4 caballerías

<i>estate</i>	<i>dimensions</i>	<i>composición</i>	<i>títulos</i>	(Continued)
			1620	13 VIII. Sale. Diego de Santa Cruz to Diego González Vaquero 4 caballerías/200ps
			1676	19 XI. Sale. Agustín de Torres to Hernando López Hda. Chipilo, 11600ps, 9000ps a censo
			1686	20 II. Remate Hda. Chipilo to Joseph Núñez de Ovando, 12200ps
			1709	2 IX. Sale. Fray Diego de Ovando and Fray Miguel de Ovando to Lic. Antonio de Bustamante 14000ps

***Pueblos de Indios, Pueblos de Castas:*
New Settlements and Traditional Corporate
Organization in Eighteenth-Century New Spain**

BERNARDO GARCÍA MARTÍNEZ
El Colegio de México, Mexico City

The classification of different social groups in eighteenth century New Spain was very difficult for contemporary analysts, as it is today for modern historians. This situation is easy to understand in a society where people of mixed blood and unclear social standing were involved. The Indians, however, have commonly been classified in a very straightforward manner. They have always been singled out as the direct descendents of the ancient population of the country, and colonial legislation gave them a clear and distinctive standing. But decades of racial and cultural mixture blurred any possible image of a pure native population, and the legislation tended to oversimplify a complex social structure. Consequently, classifying colonial Indians in social and ethnic terms as a unique and distinctive part of the population can be too simplistic and based more on the traditional usage of the concept rather than on a clear understanding of the society. This is not to say that the concept is useless or inadequate to define certain groups in colonial society. Being Indian had at least an unequivocal meaning, that of belonging to one of the numerous corporate bodies known as *pueblos de indios*, generally understood to be the heirs of the native political bodies of Conquest years. In fact, the incumbent population identified itself primarily with a given *pueblo*, and defined itself as Indian solely for legal purposes or as opposed to the Spaniards or any other group. There is no evidence of an overall 'Indian' or native identity in colonial New Spain, and ethnic self consciousness, if present, was by far secondary to corporate identification. It would be useful to develop a more critical approach to the concept of Indian in modern historiography, particularly when an ethnic or racial meaning is involved.

There were of course individuals of Indian descent not linked to the *pueblos*, like those who moved to Spanish towns, mining camps, or *haciendas*, and who were frequently excluded from tribute lists and other duties and activities associated with corporate life. These In-

dians had a somewhat diffuse legal position and were frequently more acculturated to Spanish standards. They were Indians in view of their race and cultural background, but their descendents were not likely to be classified as Indian anymore. If a functional definition of the Indian is attempted, these individuals will not fit into it. In any event, it was the *pueblo*-incorporated native population that qualified permanently, exclusively and unequivocally as Indian.

Definition of other products of racial and cultural mixture was even more problematic, especially when individuals of African descent were involved. Racial classification could not be operative beyond the limits of the most basic combinations of primary racial stocks, like the ones found in *mestizos*, *mulatos*, or *zambos*. These categories proved to be ambiguous and inadequate to define the complex composition of colonial society. Although some attempts were made to develop a more detailed racial classification, usage favored a more simplified approach, and in eighteenth-century New Spain non-Indians and non-Spaniards usually ranked as *mestizos* or *pardos*, the latter being those who had any trace of African descent. To determine the position of an individual in that scheme, however, was in no way consistent and it became more a matter of social standing and statistical appreciation than of racial classification. The *pardos*, in particular, were an extremely heterogeneous group, and were not generally singled out in terms of their ethnic origin, but as registered tributaries or members of the coastal militias. Here, as in the case of the Indians, their status was determined according to some type of corporate aggregation.

In fact, and in spite of the racial terminology, social classification in New Spain rested ultimately on corporate aggregation. If some groups seemed to be undefinable it was not because of their unclear racial background, but because they were mere aggregations of individuals without a definite social bond. These groups included people from all racial or ethnic stocks, and of different economic position, and were commonly labelled as *castas*. This word originated with early attempts of racial classification and developed into a general concept loosely applied to almost anyone that was neither a Spaniard nor a *pueblo* Indian. More precisely, it was applied when corporate identification was not possible, as in the case of the independent rural population of newly created *ranchos*, and it was also frequently associated with people of negative social standing, such as the uprooted and the destitute, the outlaws or fugitives, maroons, and vagabonds, or the urban *léperos*. In some areas, like coastal regions, the *castas* were mainly composed of *pardos* or people of African descent, but this was not necessarily the case elsewhere.

This chapter deals with the way groups of people of different background ranked as Indians by acquiring corporate identity in eighteenth-century New Spain. Before discussing this process, however, it is convenient to include a general overview of the nature and evolution of the *pueblos de indios*.

The *pueblos de indios* were particularly significant as political bodies with a territorial basis, and in most cases their history could be traced back to pre-Hispanic times.¹ Historical traditions provide ample evidence on the nature and evolution of the statelike corporations that determined the political map of Middle America before European contact. These basic political units had been preserved in early colonial times through the *encomienda* and the political and administrative system developed from it. A direct line linked the early colonial *pueblo* with the Nahuatl *altepetl* or its equivalent elsewhere in Middle America, and most *caciques* or *pueblo* rulers were similarly linked with the ancient *tlahtoque*. Collective symbols and ceremonies could be traced back to pre-Hispanic ritual practices as well. The *pueblos*, therefore, had a strong historical background, and preserving the particular traditions and institutions of each one had been essential in their transition to colonial times. But the ultimate key to their survival through centuries of Spanish rule lay perhaps in their efficiency. The *pueblos* possessed the necessary resources, organization, and experience to face internal and external demands. They were involved in the pursuit of common interest and the preservation of social structure through the performance of a number of ritual functions and administrative tasks. Relations with the outside world, mainly tribute, labor, and matters of property and jurisdiction, were managed by each *pueblo* as a collective concern.

Despite their background, however, eighteenth century *pueblos* barely preserved the essential features of their predecessors. The history of the *pueblos de indios* had been complex and dynamic, and despite the nearly static image provided by persistent formal structures and a conservative legal framework, they were constantly undergoing deep changes in every conceivable field, political, social, economic, spatial or otherwise. The first hundred years of Spanish domination introduced substantial changes and innovations. Besides the introduction of Christianity, perhaps the most significant ones were an important twist in the social standing of the elites, and the whole process of the *congregaciones*, not to speak of the demographic collapse and its consequences. The early colonial *pueblo* developed a centralized structure as one of its main features, with a well defined *cabecera* as its dominant nucleus. This centralized structure proved to be incapable of facing the demands created by the emergence of new centers of political and economic power within most *pueblos*, a process that was favored by demographic recovery, economic changes, and spatial transformation, especially during the seventeenth century. Internal conflict was relieved through the secession of competing centers, and therefore the fragmentation of old *pueblos* and the incorporation of new ones with a portion of their territory was a common occurrence everywhere in New Spain during the late seventeenth and the eighteenth centuries. Almost all late colonial *pueblos* were thus an indirect offspring of the *congregaciones*, and a product of the conflict between *cabeceras* and *sujetos*.

At the same time, the *pueblos* as a whole lost political significance. Spanish domination, originally dependent upon the structure provided by the Indian corporations, mainly in matters of tribute and labor, developed new sources of support. Territorial jurisdiction, an essential feature of the traditional corporations, was frequently contested and was soon confused with, and reduced to, the extension of communal property. Economic problems and internal conflict contributed also to erode the political basis of both old and new *pueblos* as corporate bodies, rendering them frequently inefficient and incapable of performing their primary ritual roles. It was the church that usually supplied the needed support, the ritual image of a local patron saint becoming the axis of corporate identity. Some of the *pueblos* most important functions of corporate concern were taken over by new organizations that were free of the administrative and fiscal burdens of the *cabildos* and their discredited *gobernadores*. The most conspicuous among these new organizations was the *cofradia*, a type of civil-religious organization that was closely associated both with *pueblo* structure and with church structure.² The *cofradia*, however, tended to be more localistic in scope, and lacked political status. It could not take care of issues like the payment of tribute, or take legal action on behalf of the community. Corporate bodies, old and new, became more and more localist in their concerns and thereafter it was evident that collective roots and identity had been transferred from by then obscure pre-Hispanic traditions to the cult of the local saint. Eighteenth-century *pueblos*, politically irrelevant, tiny and fragmented, limited to local concerns, were more akin to modern peasant communities than to the corporate political bodies from which they had originally evolved.

The complex evolution of the *pueblos de indios* has been obscured by a remarkable continuity of their formal features. *Pueblos* of late creation were so closely built upon the model of the ancient ones that even an eighteenth-century observer might not have noticed the difference without some knowledge of their history. The corporate organization of the new *pueblos* was similar to that of those from which they had seceded, and it reproduced, suited to their scale, a microcosmos of tiny *cabildos*, diminutive *sujetos*, and so forth, even when the system had proved to be inefficient in face of new prevailing conditions and had been incapable of counteracting, for instance, secessionist tendencies. As a result, the new *pueblos* soon experienced fragmentation in the same way. Colonial legislation, on the other hand, did not provide alternate forms of corporate organization for the Indians. In any event, creating new *pueblos* out of the older ones in the same fashion as some biological cells reproduce seemed convenient both to Indians and Spaniards alike.³

The history of the colonial *pueblos* appears then to be marked by a growing incongruity between an almost static formal and legal framework, and a very dynamic set of social, political, and economic conditions. By keeping up with such a model new corporate bodies

encountered severe limitations. The system, however, offered some advantages, such as a protective legislation, especially when it came to legitimate collective property. The role of the church and the patron saints, *cofradías*, *fiestas*, and other church-related rituals and institutions was essential in providing a simple and effective means to construct a strong collective bond. Therefore, in spite of all of their limitations and drawbacks, late colonial *pueblos* were still accepted as meaningful corporations, and the Spanish administration continued to regard them as the legitimate Indian interlocutors. And despite all changes and the transformed nature of the social bond, being part of a *pueblo* remained the essential element of political, economic and territorial identity among the native population.

What is important in this study is that the general image of the *pueblos de indios* in the eighteenth century was dominated by a substantial number of corporations of relatively recent creation. Approximately two thirds of the more than a thousand *pueblos* existing in the second half of the eighteenth century had been established only a few decades earlier as separate and individual corporations, mainly as a result of the process of secession and fragmentation mentioned above. Only one third of the *pueblos* could boast an individual history dating far back to the Conquest.⁴ This fact, however, has hardly ever been taken into account by scholars. Ethnohistorical studies have been generally restricted to immediate post-contact developments, and studies dealing with eighteenth-century Indian population usually disregard earlier conditions. Very few efforts have been made to compare early and late colonial *pueblos*.⁵ It seems quite evident, however, that most eighteenth-century *pueblos* shared peculiar traits, some of which stand out as soon as they are contrasted with earlier corporations.

A common trait of virtually all *pueblos* created during the late seventeenth and eighteenth centuries was that they developed in most cases from an organized compact settlement centered on a church. Generally these settlements had previously figured as *sujetos*, and consequently had participated in the corporate life of the parent *pueblo*. The main legal requirements for a community of people to obtain the status of *pueblo* were to be above 80 families in number, to possess an adequate church building, and to produce a good reason to claim independent status, such as difficult communication with the *cabecera*. It is quite significant that demarcation of a territory was not a legal requirement, so new *pueblos* accomplished this by their own means, apparently according to traditional allocations of land to *sujetos*, and not without conflict. In any event, what turned out to be essential in the creation of a new *pueblo* was the existence of a strong nucleus, in which the church was evidently the focal point and the main element of cohesion. Some of these new *pueblos*, however, did not fit into this general scheme, since they did not previously figure as *sujetos* of another *pueblo* or were not the product of secession;

still, the existence of an organized compact settlement centered on a church was essential to their consolidation as individual corporations.

Another characteristic of most *pueblos* of late creation was the fact of their consolidation amidst a general condition of demographic recovery. As noted above, territorial fragmentation of old corporations originated in the emergence of new centers of political and economic power within a given *pueblo*, and a prospective new Indian corporation was legally required to have a minimum population of 80 families. This was a condition that more and more settlements were able to fulfill as soon as positive trends in the Indian population were achieved by the end of the seventeenth century. As a rule, the more a *pueblo* experienced overall demographic recovery throughout its territory, the more it became a candidate for fragmentation. It seems reasonable to assume that the peculiarities and characteristics of demographic recovery in some way influenced or determined the creation of new corporate bodies.

A further remark should be made on the element of continuity, namely that the general image of the *pueblos de indios* traced above rests upon the assumption that throughout their evolution they always had the demographic basis necessary to consolidate and perform their functions. This was the case indeed in most *pueblos*, especially in the highlands and the *sierras*, in spite of the epidemics and other setbacks during the sixteenth and early seventeenth centuries. Continuity of a substantial stock of Indian population turns out to be an important element when considering the character of the population of any given *pueblo*. But the evolution of *pueblos* in some areas, especially in the lowlands and the coastal regions, was quite different, because they suffered such a severe demographic decline that all continuity was lost. The few survivors could not provide the necessary support to maintain a corporate structure, much less to build a new one. In these cases, late seventeenth and eighteenth-century versions of these *pueblos*, if they appeared, did not develop out of their vanished sixteenth century predecessors. They were virtually new. And the question arises as to whether or not the new stock of population behind them shared the same Indian background.

A brief survey of the consequences of extreme demographic decline in some *pueblos* during the sixteenth and seventeenth centuries is useful at this point. *Pueblos* in the most affected areas disintegrated as the human element necessary to carry on ritual functions, administration of collective welfare, and political standing *vis à vis* colonial rule, vanished, especially during the last decades of the sixteenth century. In some cases the disappearance of the local elite had been enough to destroy social bonds, the remaining population lacking the necessary skills or legitimacy to undertake the complex functions of a corporate body. What was most common among the surviving native population in these areas was to merge into a few selected *pueblos* that managed to maintain corporate functions, usually the biggest or most populated within a region, gradually becoming completely inte-

grated into them and even losing their previous identity. Some people, however, did not merge into these *pueblos*, but instead pursued individual destinies as laborers in Spanish *estancias* or *haciendas*.⁶

It is pertinent then to examine some cases of Indian corporations established in the eighteenth century whose background differed from the standard evolution of the *pueblos de indios* in New Spain. Evidence shows that there were *pueblos* that did not appear previously as *sujetos*, that were not the product of secession, or that did not have a continuous stock of Indian population behind them, but still possessed the essential features of a *pueblo de indios*. It appears that they shared some traits that could lead to the characterization of a particular type of *pueblo*, one that was peculiar, although perhaps not exclusive, to some areas of eighteenth-century New Spain. Unfortunately, to single out these *pueblos* is a difficult task, since there is virtually nothing in their formal structure or in their eighteenth-century aspect, as delivered by written records, that points to their individualization. The only way to discover their peculiarity is through some knowledge of their history and background, and particularly of the conditions that led to their constitution as corporate bodies. This is something that our present state of knowledge does not allow, except in a few cases. Research on the colonial history of lowland and coastal areas has been extremely rare, which makes the task still more difficult.

The complexity of the problem is best illustrated with the case of Tenampulco, a *pueblo* in the *alcadía mayor* of Tetela y Xonotla. Tenampulco's existence as an *altepetl* of pre-Hispanic origin and as the object of an early *encomienda* is fairly well documented until the last years of the sixteenth century, when it suffered severe depopulation and disintegrated as a corporate body. Its territory was absorbed by the surrounding *pueblos*, particularly Tonatico and Xonotla.⁷ It absolutely ceased to exist as a *pueblo* or as an organized settlement of any type during the seventeenth century. The toponym, however, was probably kept to name the area or a particular place, and it reappears in written documents more than a century afterwards, in 1736, associated with a small settlement subject of Xonotla. In that year the place was again struck by epidemics. The survivors took refuge in the *cabecera*, Xonotla, where they stayed for at least twenty years. In 1758 they decided to return to their old place, where an abandoned church building still existed.⁸ The repopulation of Tenampulco was then not only a quick but an intensive affair. The sudden growth of the place is to a great extent explained by the demographic contribution of the '*mulatos rancheros*', a social group that, according to documentary evidence, was very common in the region. A record of 1773 states explicitly, not without a certain prejudice, that Tenampulco had been founded by *bandoleros* and *fugitivos*, a clear indication of the heterogeneous composition of its inhabitants.⁹ Tenampulco gained the status of *pueblo* after its secession from Xonotla four years

later, a very quick evolution indeed.¹⁰ The new corporate body had been created out of virtually nothing in two decades.

Tenampulco's history prompts some interesting comments. First, it shows how the apparent continuity in the history of a given *pueblo* may be deceiving or misleading. Toponyms tend to be more enduring than the social groups that create them, and therefore it is not strange to find the name of a disappeared *pueblo* associated with an uninhabited field, a valley, a mountain, or a spring located within its former territory. This is what happened in Tenampulco, as well as in many places throughout New Spain soon after depopulation early in the seventeenth century. Later on, when demographic conditions changed, a new settlement was likely to reappear in the area and be named with the same toponym, especially if this one had been preserved in some way. But it was obviously only the name that had been preserved. The survival of the toponym in no way indicated the continuity of the corporate body originally associated with it. The only apparent relationship of the new Tenampulco with its sixteenth-century homonym was the fact that it was located within the territory of the former *pueblo*. There is no evidence of any kinship relation between the new dwellers and Tenampulco's original inhabitants, and although it would have not been impossible, it seems clear that this eventual link with the past was not relevant to the new corporate organization.

A second and more important point is related to the nature of the population involved. Indians alone were not responsible for the demographic recovery in coastal and lowland regions of Middle America. After the dramatic population decline of the sixteenth century, these areas received an important flow of people of African descent, from Black slaves and *mulatos* of different social condition. Sixteenth-century records show that some areas, particularly those where cattle *estancias* dominated, received more Black than Spanish immigrants, and when racial mixture occurred it was likely to have been between people of American and African background. In the eighteenth century the coastal and lowland areas of central Mexico had the highest concentrations of Black elements in the colony.¹¹ Most permanent settlements that developed there in the seventeenth century were of a new type, since they could not be catalogued as *pueblos de indios*, *villas*, *reales*, *congregaciones*, or whatever, nor could they be confused with the Spanish owned *estancias* or *haciendas* where their population originated. These new settlements were sometimes identified as *ranchos*, and were obviously associated with the occupation by diverse people of uninhabited or unclaimed land.¹²

There are other elements in the history of Tenampulco that can help to further illuminate this point. The corporation created in 1777 ranked officially as a *pueblo de indios*, and there undoubtedly were Indian elements in it. Evidence shows that a family of Indians surnamed Serrano figured prominently in the local arena. Various documents refer to the Serrano family as 'los Serranos', and it seems that the surname was associated with the origin of that family in the Sie-

rra, the mountain area to the southwest where Indians were dominant.¹³ The fact suggests that the 'serranos', and by extension the Indians, were only a small, distinguishable fraction of Tenampulco's population. Actually, Indians alone could not account for the rapid growth of the *pueblo*. A significant part of its population was made of lowland *mulatos* or *pardos*, whose well known demographic dynamism became a matter of concern for the Spanish authorities. Documents may be literally wrong when they define Tenampulco as founded by 'bandoleros' and 'fugitivos', but by doing so they throw sufficient light to categorize the place as a no man's land and to identify these people with the so-called *castas*. Such documents simply reflect the widespread fear and contempt the Spaniards felt in face of a set of social groups they found difficult to understand, to classify, and to control. In short, the new Tenampulco was a *pueblo de castas* as much as it was a *pueblo de indios*, or possibly even more so.

The case of Tenampulco was not unique. Nearby Chila had a closely similar history, linked to the development of Tlapacoya, a *pueblo* significantly defined as a 'nueva reducción' in 1802. A neighbouring *pueblo*, Tlaola, claimed some land of which it apparently had been deprived when Tlapacoya received its '600-varas' shortly before. Tlapacoya's right to the land was based on the assumption that the new settlement was equivalent to the 'reestablecimiento' of the ancient *pueblo* of Chila.¹⁴ Chila, however, had passed away as a *pueblo* almost two centuries before, its name being preserved until modern times in an uninhabited area of dense subtropical forest, the 'Monte de Chila'. Tlapacoya, in fact, was a completely new settlement, and there is no evidence that its population had any previous relationship with the neighbouring Indian *pueblos*. Therefore, very probably Tlapacoya was also the joint creation of Indians and *pardos*, since it was also located in an area where Indian demographic decline had been extremely severe and the population of African descent was significant. Some other *pueblos* were created almost simultaneously in the area of the ancient Chila, namely Chicontla, Patla, Tlaolantongo, Nopala, and La Concepción de Chila. All of them shared the same basic characteristics.¹⁵ And there were still other settlements in the neighbouring areas that grew up rapidly and developed into individual corporations in the last decades of the eighteenth century as well, like Chimalco, Tihuatlán and El Espinal.¹⁶ As could be expected, the arrival of new people created pressure on land, and conflicts involving these *pueblos*, Tenampulco included, appeared in a few years' time.

In other regions evidence appears to point in the same direction. An interesting example is that of San Juan Azompa, in the *alcaldía mayor* of Sultepec, a place that does not appear in previous lists of settlements in the area. Azompa was defined in 1756 as a *paraje*, not as a *sujeto* of any *pueblo*, and its *naturales* claimed to number 147 and to pay their tribute in Sultepec,¹⁷ to be deprived of lands of their own, and to have no *pueblo* into which they could integrate. There was memory of the settlement having been founded by a certain Don

Julián, from the *pueblo* of San Miguel, doctrina de Aquistlán (sic; Alahuixtlan?) more than 100 years before, and the petition was made for a grant of land and the status of *pueblo*.¹⁸ The area had been severely depopulated in the sixteenth century, and the number of inhabitants of African descent had been significant since then. Settlements of late foundation seem to have been abundant in the jurisdiction of Sultepec, and the number of corporate bodies established in the area by the end of the eighteenth century suggests that the case of Azompa was not unique.¹⁹

An interesting suit of 1709 provides additional information on the character of people of African descent in the same region. The case involved *mulatos* and other non Indians living in La Asunción Telo-loapan (jurisdiction of Zacualpan), threatened with expulsion by the Indian local authorities. In their defense, they insistently claimed to be native *vecinos*, to be responsible for the establishment of the parochial church, and to maintain a rich and prosperous *cofradía* whose support was essential to the welfare of the whole *pueblo* and in which Indians were not excluded.²⁰ This example confirms that the *mulatos* were not alien to the experience of corporate organization, as is well known, and points to the fact that they developed institutions capable of going beyond the scope of interests of race or ethnic group. Some *cofradías* could have provided the initial basis for the later establishment of a separate *pueblo* of Indians and *mulatos* or *pardos* alike.

It should be clear by now that groups of people whose ethnic and cultural background was not predominantly Indian figured prominently among founders of new corporate political bodies shaped as *pueblos de indios* in the eighteenth century. These new *pueblos* shared common features with virtually all *pueblos* created during the late seventeenth and eighteenth centuries, namely that they developed in most cases from an organized compact settlement centered on a church, and that their consolidation occurred amidst a general condition of demographic recovery. Unlike true Indian *pueblos* created at that time, however, these particular ones did not previously figure as *sujetos* of another *pueblo* and were not the product of secession. Instead, they originated from diverse settlements sometimes identified as *ranchos*, or as '*nuevas reducciones*', and were clearly associated with the occupation of uninhabited or unclaimed land in areas where the demographic collapse of the sixteenth century had been particularly harsh. These were areas where population of African descent, or the heterogeneous groups generally encompassed under the designation of *castas*, or both, were significant or predominant.

The boundary between Indians and *castas* was not clear, especially in areas where demographic recovery involved the participation of people of very different racial and cultural composition. A major peculiarity of the *castas* lay precisely in this ambiguity and heterogeneity. It was not uncommon for people of this background to figure as *mestizos* (which was almost as relative a concept), as Blacks, as

Spaniards, or as Indians, according to possibilities, convenience, or particular conditions. On the other hand, ethnic Indians not linked to any *pueblo* nor clearly attached to *haciendas* or other Spanish settlements where they could be included in tribute lists were also likely to be considered as *castas*, or labelled with derogatory terms as *vagabundos* or *léperos*. In the cases studied above, people involved in the foundation of new *pueblos* possessed one or several of the attributes of the *castas*: they had little or obscure Indian background; they ranked as people of dubious or negative social standing; they had identifiable African precedents (which was an attribute of the *castas* in lowland and coastal areas); and above all, they did not belong to any of the established *pueblos de indios*. It is well known that individuals of non-Indian descent ranked as Indians when they settled in a *pueblo*, and that some of them became *cabildo* members and even governors or *caciques*.²¹ It should be added that substantial groups of people that possessed the attributes of the *castas* ranked as Indians by creating new *pueblos*. Such a move provided a clear and unequivocal way of crossing the nebulous boundary of the *castas*.

Motivations behind a collective action as important as the establishment of a new corporate body with a clear territorial basis and political structure were undoubtedly complex. But the *pueblos* seemed to be an answer to the need of a growing number of people to organize in an efficient way to meet common interests. The main impulse behind their creation could have been the need to legitimate or to defend land claims, or the need to articulate a system of hierarchy or authority. The recognition of a group as a corporate body was very important in New Spain. The Indian model of corporate organization was likely to be considered suitable. To reproduce the *pueblos de indios* among the *castas* was an almost natural move, given the existence of elements of Indian background among the incumbent population, and the legal facilities involved.

The question arises as to where to locate the initial move towards corporate organization among the *castas*. Some evidence suggests that the influence of Indian people living among them was determinant. The foundation of a *pueblo* could be credited to small groups of dissident or exiled Indians who realized the convenience of attracting people of diverse origin in order to consolidate the basic population level needed to gain autonomy. Other evidence, however, shows that the *castas* did possess a social structure complex enough to generate the need for a corporate organization, and the ability to construct and manage such a body. Consciously or not, they could have been using elements of the Indian social structure to build up their own. The case of Tenampulco, for instance, accepts the two possible hypothesis. Probably both situations were common, and did not completely exclude each other.

From a different perspective, the new *pueblos* could also have been promoted by Spaniards. The Spanish authorities were seriously concerned about the possibility of losing control over a substantial seg-

ment of the population that was undoubtedly growing dominant in some regions. Classification according to race or descent had proved useless, and defining the legal status of thousands of individuals of unequal background was almost impossible. The situation was different when they constituted organized groups, such as a *cofradía*, and the creation of militias of *mulatos* or *pardos* in late colonial times turned out to be an excellent way to control and classify a substantial segment of the *castas*.²² The creation of *pueblos* could have been an equally convenient measure to end the nightmare the *castas* were for the Spaniards, not to speak of the advantages of having an increased number of permanent, registered tributaries. There is no evidence, however, that Spanish authorities openly promoted the creation of *pueblos* among the *castas*, although they certainly did not oppose the trend. It was probably among religious personnel that the issue was discussed the most. It should be recalled that a church building was at the hub of all new *pueblos*, that the church had taken over most ritual and symbolic functions, and that every *pueblo* was a potential parochial unit. The role of the church had been fundamental in the fragmentation of the old *pueblos* and the secession of their *sujetos* as well.

It seems opportune at this point to recall the corporate bodies established at different times in New Spain with Black runaways. They provide an interesting precedent that should not be excluded from this analysis.²³ Their establishment was the product of both Spanish concern and convenience. Their racial character was of course more definite, and the circumstances of their creation were infinitely more critical. Still, they can be useful contexts in which to understand the way people of African descent built social bonds. It might have been that a substantial number of individuals among the *castas*, regardless of their unequal ethnic and cultural background, developed unsuspected elements of social cohesion. The case of Santa Ana Tepetitlán in Jalisco shows, probably more than any other, how diffuse and misleading the racial and ethnic boundaries of colonial Indian corporations could have been. Founded with slaves as a defensive town, and constantly populated by *mulatos*, it eventually acquired the status and designation of a *pueblo de indios*.²⁴

A final remark should be made on the general situation of the rural population in eighteenth-century New Spain. While an important number of Indians were leaving the *pueblos* in order to move into *haciendas* or *ranchos*, therefore leaving corporate life for the pursuit of an individual destiny as free laborers, the *castas* seemed to proceed in the opposite direction, from the *ranchos* to the *pueblos*, following the Indian model of corporate organization. Unfortunately, the process was obscured by the imprecise boundary drawn between both social groups, and cannot be easily reconstructed from written records. In order to provide a substantial amount of facts and figures extensive research has to be done. A revision of some points in the history of the Indians is needed too. For instance, if some *pueblos de indios*

were in fact *pueblos de castas*, calculations of Indian population may require a careful consideration: are they dealing with ethnic Indians or with *pueblo* Indians? In fact, the presence of undefinable *castas* among Indians of unequivocal definition calls for a conceptual revision.

ENDNOTES

1. The following paragraphs synthesize the analysis of the evolution of the *pueblos de indios* carried out in my recent book *Los pueblos de la Sierra. El poder y el espacio entre los indios del norte de Puebla hasta 1700* (Mexico City, 1987). As in this book, I will use the word *pueblo* to define the corporation that evolved from the pre-Hispanic *altepetl* or its equivalents, and not as a synonym of town or village. A more concise version of this chapter was delivered at the 46th International Congress of Americanists, held in Amsterdam in July 1988. I wish to thank Prof. William B. Taylor of the University of Virginia for his valuable comments to an earlier draft.

2. See the essays of Lavrin and Gruzinski in this volume.

3. The fragmentation of the *pueblos de indios* is extensively analyzed in the book cited in note 1 above, but the subject is complex and still deserves much attention, especially for the eighteenth century. Traditional studies on Indian society pay little attention to the problem, and few modern scholars have devoted any time to it, although an interesting approach has been developed by Danièle Dehouve, "Las separaciones de pueblos en la región de Tlapa (siglo XVIII)," in *Historia Mexicana*, 33:4 (1984/132), 379-404, published in translation in this volume.

4. As a rule of thumb, ancient *pueblos* were those identifiable among the sixteenth-century *encomiendas*.

5. A major exception is Nancy Farris, *Maya Society under Spanish Rule. The Collective Enterprise of Survival* (Princeton, 1984).

6. In any event their original *pueblos* disappeared in such a way that two or three generations afterwards it was already very difficult, if not impossible, to find traces of them. Modern historians only possess lists of *pueblos* that include the empty names of these victims of depopulation, and a loosely approximate idea of their location.

7. García Martínez, *Pueblos de la Sierra*, 72, 110, 114, 119-120, 135, 238, 242, 324, 337, 371, 375. The last known figure for Tenampulco's population gives 73 tributaries in 1597.

8. Order of Marqués de las Amarillas (July 12, 1758), Archivo General de la Nación (hereafter AGN), Ramo de Indios, vol. 58, f. 129. The document refers erroneously to the *alcaldía mayor* of Tetela del Volcán.

9. AGN, Tierras, vol. 971, exp. 4 (1773). Also, order of Antonio Bucareli (August 25, 1773), AGN, Ramo de Indios, vol. 64, exp. 123. Tenampulco received its '600 varas' of land before this date. (On the '600 varas' see Wood and Dyckerhoff in this volume.)

10. Order of Antonio Bucareli (January 14, 1777), AGN, Ramo de Indios, vol. 65, f. 248.

11. *Pardos* accounted up to 85 percent of the non-Indian population in the 'central coast-areas' in 1742-1746, 1777 and 1789-1793; see Sherburne F. Cook and Woodrow Borah, "Racial Groups in the Mexican Population Since 1519," in their *Essays in Population History. Mexico and the Caribbean* (Berkeley, 1974), II, 202-221. On the Tenampulco area, see García Martínez, *Pueblos de la Sierra*, 227-228; Peter Gerhard, *A Guide to the Historical Geography of New Spain* (Cambridge, 1972), 219.

12. This is not the case of certain settlements founded by *pueblos* in empty areas within their legal limits to preserve or reinforce their rights over the land; see García Martínez, *Pueblos de la Sierra*, 239.

13. Order of Antonio Bucareli, AGN, Ramo de Indios, vol. 64, exp. 23.

14. File on a suit between Tlapacoya and Tlaola (1802-1804), AGN, Tierras, vol. 1343, exp. 17.
15. See file of 1791-1793 in AGN, Tierras, vol. 1222 1a pte, exp. 10.
16. On El Espinal, see file of 1781 in AGN, Ramo Civil, vol. 1975, exp. 7.
17. This apparently means that they paid their tribute directly to the *alcalde mayor*, since they were not under the jurisdiction of any Indian *gobernador*. A similar case is recorded in 1786 in Izúcar, where a census listed Indians in *ranchos*, not subject to any *gobernador*, together with Blacks and *mulatos*, who paid tribute directly to the Spanish authorities; census of 1785-1786 in AGN, Ramo de Tributos, vol. 8, exp. 1.
18. Order of Marqués de las Amarillas (May 31, 1756), AGN, Ramo de Indios, vol. 58, ff. 22v-24.
19. See figures for Temascaltepec, Sultepec, and Zacualpan in Cook And Borah, *Essays in Population History*, II, 227-231; Gerhard, *Guide*, 269-270; also, census of 1794 in AGN, Ramo de Tributos, vol. 37, exp. 6. According to Gerhard, there were 54 *cabeceras* in the province by 1801, which is an 'extreme example' of how communities obtained political autonomy in the colonial period.
20. Suit of 1709 in AGN, Ramo Civil, vol. 2195, exp. 8.
21. This feature of eighteenth-century *pueblos* is briefly analyzed in William B. Taylor, "Indian Pueblos of Central Jalisco in the Eve of Independence," in *Iberian Colonies, New World Societies. Essays in Memory of Charles Gibson*, Richard L. Garner and William B. Taylor, eds. (Private printing, 1985), 166-167. This article shows how landless non-Indian country men were attracted to *pueblos de indios* by the promise of a small piece of land and, especially, the legal privileges of Indian status.
22. See Christon I. Archer, "Pardos, Indians, and the Army of New Spain: Inter-relationships and Conflicts (1780-1810)," in *Journal of Latin American Studies*, 6:2 (1974), 231-255.
23. See Patrick Carroll, "Mandinga: The Evolution of a Mexican Runaway Slave Community (1735-1827)," in *Comparative Studies in Society and History*, 29:4 (1977), 488-505; William B. Taylor, "The Foundation of Nuestra Señora de Guadalupe de Amapa," in *The Americas*, 26:4 (1970), 439-446.
24. Taylor, "Indian Pueblos," 166.

The *Fundo Legal* or Lands *Por Razón de Pueblo*: New Evidence from Central New Spain

STEPHANIE WOOD
Department of History
University of Oregon, Eugene, OR

"Since there were no towns or villages on the coast (...) I continued on my course, thinking that I should undoubtedly come to some great towns or cities."

- Christopher Columbus, on
exploring Cuba in 1492 -1

In concert with their quest for gold and other easily extractable trade goods, the earliest Europeans in the Indies searched for the human resources they hoped to find in indigenous towns and cities. In fact, the Spanish colonial ideal as it took shape in Mexico and Peru became dependent upon the presence of both precious metals in abundance and sedentary Indians living in semi-independent municipalities, prepared to serve as a source of draft labor, and yet engaged meanwhile in agrarian pursuits that would not only support their communities but provide an exploitable surplus for the conquerors and the royal treasury.² To preserve these human resources royal policy makers and colonial administrators took steps to protect and preserve Indian towns in the central areas. They could not put a stop to the plagues and their devastating effects as witnessed in the Caribbean especially, but they would legislate limits on the number of laborers drafted and the length of time workers spent outside their *pueblos*. They would order a safe distance to be kept between Indian towns and obtrusive settlers or their roaming cattle. And they would establish a minimum territorial base for every indigenous community in order to ensure its long term purveyance of goods and labor. It was in the interests of all to make these laws a reality.³

Alas, the inconsistencies between public policy and colonial reality are only too well known. Many of the same people entrusted with carrying out protective legislation were engaged in the very activities that eroded the integrity of the independent *pueblo*, gradually and permanently luring away its labor force and eventually encroaching on its lands. This, in turn, would continue to threaten the physical

and cultural survival of the indigenous people. After enduring the devastating population losses suffered even in the central areas, communities would encounter an acceleration of attacks on their territorial bases in the eighteenth century, as Spanish colonial agriculture responded to the growing market in the cities and mines. Yet, at the same time, policy makers would continue to try to shore up the vanishing corporate foundations of Indian towns.

The purpose of the present study is to examine the dynamics of that precarious balance between protection and exploitation, with a focus on the provisioning of corporate landholdings to Indian towns in central New Spain in the eighteenth century -in particular, the intent and impact of laws governing the *tierras por razón de pueblo* (which came to be known as the *fundo legal*, or legal allotment, in the nineteenth century.)⁴ The location chosen for this initial inquiry is the highland Valley of Toluca, just over the mountains to the west of the Valley of Mexico. This fertile region, occupied by more than a hundred Indian towns, supplied maize and other products to the capital and mines. It was an attractive alternative center for Spaniards who found opportunities already sewn up in the Valley of Mexico by the mature colonial period. It therefore provides a useful context for studying the dynamics of land tenure. It is hoped that findings for Toluca will have a broader application in other populous regions ringing the Valley of Mexico.⁵

The principal rulings governing the Indians' right to a minimum town base are included in many compilations of colonial agrarian laws. The three most widely recognized edicts are the royal decree of 1567, which established a minimum distance of one thousand *varas* ('yards', equivalent to about 33 inches or some 84 centimeters each) between any Indian town and the nearest private estate and set the town base at five hundred *varas* (or as much more as might be needed) in the four cardinal directions; the decree of 1687, which extended the lands surrounded and pertaining to any Indian population center another one hundred *varas* in the four cardinal directions from the last houses, and called for eleven hundred *varas* to the nearest estate; and the decree of 1695, which rescinded the 'last house' ruling, ordering that the six hundred *varas* be measured from the principal church in each town.⁶

Interest in obtaining the legal endowment may have been slight until the indigenous population was recuperating and competition for resources intensified in the later seventeenth century. At this stage in the research, known cases of communities petitioning for the 500-*vara* town base cluster in the mid-1680s and come from such regions as Michoacán, Celaya, Puebla, Coyoacan, and the Toluca Valley.⁷ This flurry of activity apparently prompted the legal revisions of 1687. Not only would the endowment be increased, but the question of where measurements should commence required clarification. The legal allotment in Mixcoac, Coyoacan, for example had been approved to begin from the "last house that was on the street grid, even though

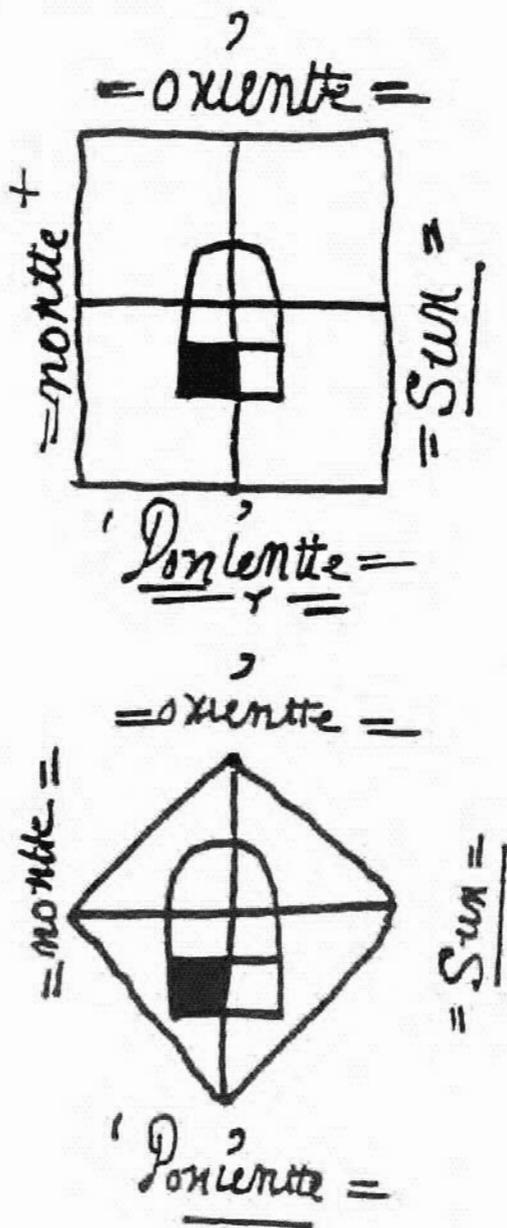
the building might be in ruins."⁸ In another case, from the jurisdiction of Puebla in 1685, a legal official mentioned how Indians were deviously building houses at a great distance from the center of town and in a given, preferred direction in order to expand and influence the location of the town's territory.⁹

When the ruling of 1687 legalized and probably encouraged such activities, private property holders cried out in opposition. The royal government then felt compelled to standardize the size of the town allotment, having it commence from the church once again. Although the ruling of 1695 was less generous, momentum would continue to increase into the eighteenth century, as one community after another appealed to the courts for its 'six hundred *varas*' (as the precious endowment came to be called), '*por razón de pueblo*' (by right of township). The success of one town inspired the next, with word of mouth and sightings of survey teams about the valley surely contributing to the enthusiasm.¹⁰ The more limited ruling of 1695 prevailed, but towns would take what they could get. Corporate lands that had not been included in the *composiciones* (programs legalizing faulty deeds primarily belonging to private or corporate holders) of the early to mid-seventeenth century could be safe-guarded, and the law could be invoked as a tool to get back some of what had been lost.¹¹

As Charles Gibson found for the Valley of Mexico, in the Toluca Valley the 'six hundred *varas*' by right of township also enjoyed a popularity that overshadowed the pursuit of all other corporate properties allowed by law.¹² There is no comparison, for instance, between the popularity of this entity and that of the *ejido*, or commons, of one square league that was established in edicts of 1573, 1618, and 1713, but was fairly rare in the central areas.¹³ An *ejido* shared by Spaniards and Indians just outside Toluca was one of the very few that existed in the entire valley, unless others have somehow escaped mention in the voluminous litigation records.¹⁴ Perhaps the square league was unrealistically large for this time and place; it seems to have been better known in transitional and fringe areas, where the concepts of *ejido* and *tierras por razón de pueblo* may have been more synonymous.¹⁵ The same explanation may also account for the relatively rare application of the 1100-*vara* girth around *pueblos* to keep ranches at bay and the vague supplement supposedly available above and beyond the minimum town base. In comparison, the 'six hundred *varas*' may have seemed more tangible.

But the popularity of the 1695 ruling did not ensure that interpreters on the scene or modern historians fully understood it. The language of this and earlier decrees was ambiguous about how the town base was to be measured, allegedly leading to a few different interpretations as to its shape and overall size. For the Valley of Mexico, Gibson reproduces two colonial 'town site' shapes resembling cartesian coordinate systems, each with axes apparently measuring twelve hundred *varas* and crossing at right angles.¹⁶ In one case, the quadrants are squared off, producing a total area of some 1,440,000 square *va-*

FIGURE I. TOWN SITE VARIATIONS AS REPRODUCED BY CHARLES GIBSON



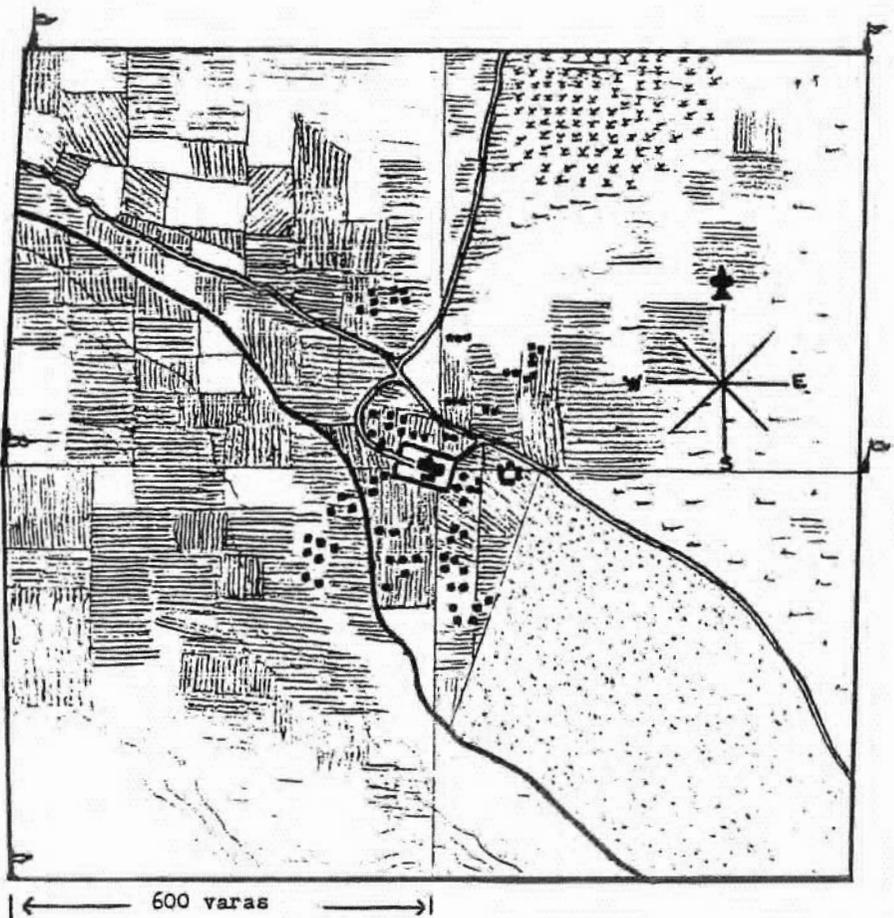
ras. In the other, the ends of the axes are connected with diagonal lines, resulting in what would be an overall area of only 720,000 square *varas*. While the larger one was usual, Gibson notes that the confusion over the outer boundaries sometimes led to the territory's reduction by half, as indicated in the smaller figure (see Figure I). When one tries to determine how well a community might be supported by its corporate holdings, the difference between the two types could be crucial.

Just as there was confusion about whether to square-off or cut corners, apparently some observers thought the coordinates should be joined by arcs, creating a circular town base with a radius of six hundred *varas*.¹⁷ This rarer interpretation may have become erroneously popularized by Alexander von Humboldt's paraphrasing of a bishop of Michoacan who spoke in 1799 of the '600 *varas de radio*'.¹⁸ The original law directed the measurements to stretch from the town limits out 'por todos cuatro vientos, como es 500 *varas o más a Oriente, y otras tantas al Poniente, Norte, y Sur*' ('in the four cardinal directions, that is 500 *varas* or more to the East, and another so many [500] to the West, North, and South').¹⁹ Conceivably, the ends of these measurements might be connected with a circular line, but nothing like this is known for the Toluca Valley nor does Gibson mention having witnessed such a shape for the Valley of Mexico.

While none of the known survey records from Toluca or other regions of colonial Mexico have ever indicated that the 600-*vara* trajectories were connected by arcs, it is just as true that these records rarely specify how the terminal points were actually joined. It is as though participants assumed anyone reading about the surveys would automatically know the customary procedure. Occasionally, however, one does come across oblique comments that suggest the square with twelve hundred *varas* on a side was the intended norm. (The *de facto* unit typically was not a perfect square, but contained locally-stipulated adjustments.) After meting out the six hundred *varas* in each of the four directions in Atlacomulco, for example, surveyors were then consumed with '*cuadrando la dicha medida*' ('squaring off the said measurement').²⁰ Further research may sustain this general size and shape for other regions, too. The apportionment given in Celaya in 1687, just before the new law was announced, had one thousand *varas* on a side.²¹ Cuernavaca citizens petitioned in 1780 that '*se nos midan un mil y doscientas varas en cuadro*' ('twelve hundred *varas* squared be measured for us').²² The 1792 survey of town allotments in Michoacan indicates the square with twelve hundred *varas* on a side.²³ A rare map (see Map I) from San Juan Atzualoya, Tlalmanalco, about 1799 again upholds the more generous figure, as well. It also tells us something about the uses of the town base.²⁴

Although the first rulings on the legal endowment for Indian *pueblos* mentioned that the land was designed for cultivation and pasture, the 1695 ruling did not specifically reiterate this. Because the latter

MAP I. TOWN SITE OF SAN JUAN ATZCUALOYA, TLALMANALCO,
EIGHTEENTH CENTURY



Source: see note 24.

anchored the 'six hundred *varas*' in the center of town, furthermore, historians have assumed that this corporate property was no longer used for farming. For example, Lucio Mendieta y Nuñez describes the allotment as the place "on which the homes of the Indians would be constructed." In his view, it composed the 'town center' and it did not include the "cultivated fields designed for the subsistence of the inhabitants." It was not intended, he states further, for *ejidos* or cultivation.²⁵ Having consulted similar compilations of laws, Gibson also asserts that in the eighteenth century the "600-*vara* area (...) was not an additional territory outside the town site [in other words, the urban district] itself."²⁶

The question of an agricultural purpose and use for the 600-*vara* apportionment is another crucial one if we are to understand its potential contribution toward the longevity of the Indian *pueblo* as a self-sustaining entity and one that could continue to provide labor and tribute. If the larger town base of 1,440,000 square *varas* was standard (about 250 acres), then it would not be difficult to imagine that some of it indeed was farmed, particularly given the still generally small size of many Indian settlements in the Toluca Valley at the time. Towns in the immediate vicinity of Toluca in 1635, for instance, varied from two to sixty families, with most hovering around fifteen.²⁷ Even if these communities had doubled in size by 1700, the church, municipal buildings, and cluster of modest houses might occupy only a few dozen acres, leaving the remainder for agricultural fields.

In reality, what seems to have made the *tierras por razón de pueblo* such an object of serious pursuit in the eighteenth century was their farming potential. The relative threat of alienation to the housing core probably was slight; in most cases its preservation would not depend upon an official demarcation. In one town in the province of Malinalco, citizens even asked that the *solares poblados* (house lots) be exempted from the 'six hundred *varas*' that were to be measured for them in 1712. They felt their entire grant should consist rather of *tierras laborias* (arable lands), taking in the corporate maize and wheat parcels that had been distributed to individual families, as was the custom in much of the region. Their request was appealing, in essence, for a reinstatement of the edict of 1687 that specified a gap for housing, with the corporate agricultural lands to extend beyond that.²⁸

Cultivation of the *tierras por razón de pueblo* is obvious in the map from Tlalmanalco. Besides probably planting kitchen gardens around their houses, people also seem to have divided the extensions beyond the urban district into usufruct parcels. Evidence for this practice also comes such places as Teotihuacan, Queretaro, Cholula, Cuernavaca, and Celaya.²⁹ The example from Teotihuacan describes a need in 1809 for five *fundos* for a *pueblo* of 250 families, for "one *fundo* can only accommodate forty-eight houses or families, with each of these planting 11½ *cuartillos* [dry measures, about 1/32 bushel each] of

maize [seed], leaving them land for their church, cemetery, streets, houses and corrals."³⁰

The 1695 ruling could discriminate against the more populous towns if the clause allowing for more land in cases of greater need was not invoked or not recognized by the courts. But, in at least a few cases, pleas for extensions were granted. For example, the families of Santiago Tlacotepec and its two dependencies in 1747 claimed they would each have less than four *varas* to cultivate if the town was given the standard 'six hundred *varas*'. Asking for more, they reminded the courts how "*tributes, parish obligations, and necessities*" were dependent upon having sufficient community land. Sympathetic to their plea, the surveyor skipped over the cemetery, a hill behind town, and all infertile fields he came across, expanding the town allotment.³¹ Using a similar strategy with the same positive outcome was the representative of the community of Cacalomacan, near Toluca, who spoke in 1767 of the need for lands "*upon which the residents could live with some comfort and space, and have a place to sow and make enough headway to pay tributes and ecclesiastic fees.*"³²

How could petitioners be turned down when casting their arguments in terms that appealed to Spanish economic interests? Actually, such reminders apparently were necessary as competition over land heightened in the late colonial period. In the Villa de Etlá, Oaxaca, for instance, the *Audiencia* refused to alter the allotment *por razón de pueblo* even though it took in mainly rocky land.³³ Perhaps it was becoming less clear whether Spanish colonists were better served by protecting the Indian corporate land base or by incorporating such areas into their private estates, encouraging the growth of a free but dependent labor force as *repartimiento* (the draft labor system) declined. While indigenous success rates in the courts have yet to be quantified, it may surprise some observers that this late in the game communities could win the sympathy of the officials at all. But not only would people in the Toluca Valley be effective in procuring adjustments for housing, they would achieve more than occasional attention to their demands for fertility and relative productivity.

In case after case, legal representatives talked of "*attending to the fertility and cultivation of land*" and incorporating in the *tierras por razón de pueblo* 'fruitful land' or '*tierras de pan llevar*' (designed for grains).³⁴ Lawyers were willing to accept fields planted in cacti and fruit trees as part of the demarcation, but they pushed harder for the more highly valued maize and wheat fields. In one town, Tlacotepec, in 1747, a long discussion arose as to the relative value of land suitable only for *maguery* plants, the cacti that served as fencing, produced the alcoholic beverage called *pulque*, and, when dried, could be burned as fuel. It was generally agreed that the *maguery's* greatest value lay in converting it to *pulque*, but this could generate a low profit at best. Witnesses testified to the length of time needed for the plant's maturation, for hiring people to extract the juice, for transporting the liquor, marketing it, and then paying taxes. The townspeople's con-

cerns were sufficient to win the town an extra 154½ *varas* over the six hundred in one of the four cardinal directions to make up for the lesser desirability of the *maguey* land.³⁵

Besides making adjustments to ensure fertile soil, surveyors sometimes found they had to make alterations in the *tierras por razón de pueblo* with regard to intrusive private properties. Parcels held by Indian *cabildo* officers, judging by one case, were apparently not a concern, probably because they were considered a legitimate part of the corporate holdings.³⁶ But private land held by Hispanics or by *caciques* who were not serving in municipal government, if that land fell within the reaches of the 'six hundred *varas*,' did cause problems.³⁷ The 1695 ruling specified that in case of conflict, alternate fields should be chosen to the satisfaction of all parties, and neutral, royal lands could be used for the purpose if necessary. The royal government seemed to support equality under the law for private cultivators and usufruct holders alike, yet it also added the prescriptive phrase, "*y atenderéis muy especialmente al bien y provecho de los indios*" ("*and attend very especially to the well-being and profit of the Indians*").³⁸

But the crown's call for equality or possibly even some preference to be shown to the Indians fell on deaf ears in the Valley of Mexico. According to Gibson, whenever a conflict arose in association with the 600-*vara* grant, the *pueblo* generally was compensated elsewhere while the *hacienda* maintained its previous possession.³⁹ In contrast, in the more distant Valley of Oaxaca, Taylor found that "*the fundo legal took precedence over other land titles.*"⁴⁰ The situation in the Toluca Valley was more analogous to that in Oaxaca, or perhaps there was a more even balance of interests. In one case from 1752, for example, townspeople appealed and overturned an initial ruling that preserved lands of neighboring estate owners during the process of marking a town's territory.⁴¹ In another case, *hacienda* owners who in 1746 feared some of their most fertile lands would be lost in the process of a 600-*vara* demarcation, offered to give the Indian town in question some six *caballerías* (105 acres each) in a different vicinity. This was much more land than the estate owners stood to lose, but the disputed area was of higher quality. The Indians not only refused the swap, but threatened to seek additional legal endowments for each of the two *barrios* adjoining town.⁴² A third *pueblo*, Santiago Acutzilapan, was even more ardent in defending its allotment *por razón de pueblo*, originally granted at the expense of a *cacique's* private estate in 1700. In the face of recurring encroachments and costly litigation, the people won confirmation of their 'six hundred *varas*' in 1707, 1722, and 1723. Nearly forty years later, however, they suffered a temporary setback as the *Audiencia* reversed its stance. The *Audiencia* discovered that the town's church lay about a thousand *varas* north of the center of the *pueblo* and four hundred *varas* north of the last house. The legal endowment here consisted entirely of flat, fertile land, and contained little of the physical settlement of the communi-

ty. Judges did not insist that the allotment be centered on the houses, but they did agree to the estate owner's request for an adjustment on one side. Still, when a new survey was attempted to transfer some of the corporate land to the estate owner, over five hundred Indian men and women turned out to block it, and their original town base was upheld once more. In a last ditch effort, the estate owner offered in 1762 to pay five hundred *pesos* for a 'grant' of alternate land for the Indians if they would give him the contested area, but they refused.⁴³ The position of a community soliciting its *tierras por razón de pueblo* was less secure when a delineation would bring injury to a neighboring town. In one case the applicants won, in another they withdrew, and in a third the courts had not achieved a resolution before the paper trail ended.⁴⁴ Many factors entered into a decision in these kinds of cases, such as a demonstrated need on the part of the applicants, and on the part of neighboring towns, some proof of legal ownership and clear boundaries.

Another element that weighed heavily was how the vying communities ranked in the Spanish system of town hierarchy, in other words whether they were considered of greater or lesser status in the broad range that stretched from neighborhood to city. The original ruling of 1567 provided that a community did not have to hold the rank of *cabecera* ('head town,' a title granted to towns with resident *tlatoque*, or high indigenous rulers) to acquire the minimum town base. Rather, all needy *pueblos* extant at that time or founded in the future would have a right to it.⁴⁵ By the eighteenth century, however, numerous disputes would arise about what constituted a true *pueblo*—how large a community would have to be, how grand its church must be, and so on. Frequently in question were *barrios* and *sujetos* (small outlying dependencies of towns). As these communities grew and sought elevation to the rank of independent *pueblo*, they would also seek their 'six hundred *varas*'. Because of their proximity to the *pueblos* from which they wanted to break away, finding the space for their corporate territories posed problems. And since private farms and ranches had come to fill in the spaces between towns over the seventeenth century, estate owners' fears were also roused by the thought of all *barrios* and *sujetos* soliciting the legal allotment. On this subject the voices of estate owners and *cabildo* officers of *cabeceras* might be heard in unison, demanding a growing body of criteria for smaller settlements desirous of *pueblo* status.⁴⁶ One town was forced into a double bind, with *pueblo* status being denied because the community lacked its 'six hundred *varas*,' when this endowment was usually one of the principal objects in the pursuit of *pueblo* status.⁴⁷ It would take time for *barrios* to develop the criteria to call themselves true *pueblos* and receive their 'six hundred *varas*'. Many would have to share, meanwhile, in the common lands of the *pueblo* to which they were attached.⁴⁸ But, eventually, their day would come. When viewed in the aggregate, the specter of this cellular subdivision reaching

maturity, with a multiplicity of communities claiming rights to their own separate territorial holdings, is an impressive one.

Agrarian historians have long recognized the existence of this form of corporate holding in New Spain. But they have rarely agreed about its size, shape, or use, nor its importance in the larger struggle between common lands and private property. One of the few positive views of it comes from William Taylor's study of Oaxaca where, for example, a survey found twenty-one of twenty-eight towns in Antequera in 1776 had the 'six hundred *varas*' and more.⁴⁹ It is logical that a greater retention of Indian land would be seen in Oaxaca, a region densely populated by indigenous communities and attracting a large Spanish population interested in serious agrarian pursuits somewhat later than the more central highland valleys.

But evidence from Toluca suggests that these lands *por razón de pueblo* were important even there, much closer to the colonial capital. Furthermore, the features of the *de facto* legal endowment, whether in the Toluca Valley or in other regions of Mexico, are also proving worthy of greater attention. The 'six hundred *varas*' seem to have been measured most often with the largest possible area allowed after the ruling of 1695, 1,440,000 square *varas*. This allotment was not treated uniformly as a maximum, but could be extended. Except in perhaps the most populous communities, even the standard endowment did not just involve the housing district of a community. Besides taking in probable garden plots within the urban core, it included agricultural fields. And, finally, because of its farming application, surveyors were continually asked to distribute it in fertile lands and they were known to do just that (which rendered it, at best, an irregular square). Hundreds of towns across New Spain petitioned for and received their *tierras por razón de pueblo*, especially in the eighteenth century. While there is a need for better quantification of the ratios of population to agricultural land in these communities and, if possible, between Indian corporate holdings and private property, and how these ratios changed over time, it does appear that the 'six hundred *varas*' contributed to the vital resources sustaining the independent indigenous provincial unit through the end of the colonial period.

ENDNOTES

1. *The Four Voyages of Christopher Columbus*, J. M. Cohen, ed. (Baltimore, 1969), 116.
2. See James Lockhart and Stuart B. Schwartz, *Early Latin America. A History of Colonial Spanish America and Brazil* (Cambridge, 1983) for a fuller explanation of the key elements that made up these 'central areas'.
3. Prominent works examining the Indians under colonial rule in Mexico and Peru include Charles Gibson, *The Aztecs under Spanish Rule. A History of the Indians of the Valley of*

Mexico, 1519-1810 (Stanford, 1964), and Steve J. Stern, *Peru's Indian Peoples and the Challenge of Spanish Conquest. Huamanga to 1640* (Madison, 1982).

4. Because I have not seen the term *fundo legal* in records earlier than the 1790s, I will refrain from any further use of it in my discussions of colonial corporate landholding.

5. This study forms part of a larger examination of Indian community adjustments to colonial rule in the Toluca region, 1550-1810. See Stephanie Wood, "Corporate Adjustments in Colonial Mexican Indian Towns: Toluca Region, 1550-1810" (Ph.D. diss., University of California at Los Angeles, 1984).

6. Eusebio Bentura Beleña, *Recopilación sumaria de todos los autos acordados de la real audiencia y sala del crimen de esta Nueva España, y providencias de su superior gobierno* (2 vols., Mexico City, 1787), I, 122, 382; Francisco F. de la Maza, *Código de colonización y terrenos baldíos de la república mexicana* (Mexico City, 1893), 25-27.

7. Many of these are found in the Archivo General de la Nación (hereafter, AGN), Ramo de Indios, vol. 29.

8. AGN, Hospital de Jesús, vol. 318, exp. 6.

9. AGN, Ramo de Indios, vol. 29, exp. 50.

10. That the 'six hundred varas' were much sought after across central New Spain in the eighteenth century is supported by Woodrow Borah's discussion of the phenomenon in the General Indian Court; see Woodrow Borah, *Justice by Insurance. The General Indian Court of Colonial Mexico and the Legal Aides of the Half-Real* (Berkeley, 1983), 136-138.

11. Regarding the preference shown private holders in the mid-seventeenth century *composición* programs see Wood, "Corporate Adjustments," 115-118.

12. Gibson, *Aztecs under Spanish Rule*, 286-287. Published evidence for Toluca and the present State of Mexico as a whole can be seen in Mario Colín's indexes: *Antecedentes agrarios del municipio de Atlacomulco, Estado de México. Documentos* (Mexico City, 1963), *Indice de documentos relativos a los pueblos del Estado de México. Ramo de Tierras del Archivo General de la Nación* (Mexico City, 1966), *Indice de documentos relativos a los pueblos del Estado de México. Ramo de Mercedes del Archivo General de la Nación. Tomo I* (Mexico City, 1967), *Indice de documentos relativos a los pueblos del Estado de México. Ramo de Mercedes del Archivo General de la Nación. Tomo II* (Mexico City, 1967).

13. See William B. Taylor, *Landlord and Peasant in Colonial Oaxaca* (Stanford, 1972), 67; *Recopilación de leyes de los reynos de las Indias. Edición facsimilar de la cuarta impresión hecha en Madrid el año 1791* (3 vols., Madrid, 1943), I, 209.

14. AGN, Hospital de Jesús, vol. 380, exp. 8. See also volume 15 for occasional references to *ejidos* around Toluca as of 1636. Informal *ejidos* may be disguised in the sometimes extensive lands called *demasías* regularized in the *composición* proceedings of 1690-1725.

15. The town base or *ejido* of one square league existed, for example, in Jalisco, Honduras, and Nicaragua, though it was often irregular. See Agueda Jiménez-Pelayo, "Indian Community Landholdings in Northern Nueva Galicia" (Paper presented at the American Historical Association annual meeting, Washington, D.C., 1987); Linda A. Newson, *The Cost of Conquest. Indian Decline in Honduras under Spanish Rule* (Boulder, 1986), 210-211, and *Indian Survival in Colonial Nicaragua* (Norman, 1987), 175.

16. Gibson, *Aztecs under Spanish Rule*, 293 and Plate X. I favor abandoning the term 'town site' which has a much more limited connotation in English than was intended by Spanish law.

17. José Miranda, "La propiedad comunal de la tierra y la cohesión social de los pueblos indígenas mexicanos," in *Cuadernos Americanos*, 149 (1966), 168-181, esp. p. 173.

18. Manuel Fabila, *Cinco siglos de legislación agraria (1493-1940)* (Mexico City), I, 53-57.

19. Maza, *Código de colonización*, 26.

20. AGN, Tierras, vol. 3672, exp. 5.

21. AGN, Ramo de Indios, vol. 29, exp. 303.

22. AGN, Tierras, vol. 1499, exp. 10.

23. Claude Morin, *Michoacán en la Nueva España del siglo XVIII. Crecimiento y desigualdad en una economía colonial* (Mexico City, 1979), 14. The *fundo* of 1,440,000 square

varas was also apparently the norm in a 1760 survey in Oaxaca, see Taylor, *Landlord and Peasant*, 69-70.

24. AGN, Tierras, vol. 1928, exp. 2. See also Tierras, vol. 1932, exp. 2, for another map of the 'six hundred varas' from the same town. Orozco also supports this size and shape, see W. L. Orozco, *Legislación y jurisprudencia sobre terrenos baldíos* (Mexico City, 1895), II, 1110.

25. Lucio Mendieta y Nuñez, *El problema agrario de México* (Mexico City, 1966), 57 and 59-62.

26. Gibson, *Aztecs under Spanish Rule*, 293.

27. AGN, Hospital de Jesús, vol. 413, exp. 3.

28. AGN, Tierras, vol. 1692, exp. 6.

29. AGN, Tierras, vol. 1644, exp. 4; vol., 2998, exp. 19; vol., 2344, exp. 2; vol., 1688, exp. 3; Ramo de Indios, vol. 29, exp. 303.

30. Santa María Tulpetlac, 1809, in AGN, Tierras 1644, exp. 4, cuad. 2, ff. 43-44.

31. AGN, Tierras, vol. 2234, exp. I, cuad. 3.

32. AGN, Tierras, vol. 2944, exp. 242.

33. Taylor, *Landlord and Peasant in Colonial Oaxaca*, 70.

34. See, for example, AGN, Tierras, vol. 1865, exp. 6; vol. 2944, exp. 242; vol. 1506, exp. 1; and vol. 1671, exp. 11.

35. AGN, Tierras, vol. 2234, exp. 1, cuads. 3 and 4.

36. Santiago Tlacotepec, Malinalco, 1747, in AGN, Tierras, vol. 2234, exp. 1, cuad. 3.

37. By Hispanics I mean anyone in the Spanish world of the colony, including all Europeans and castas. See, for example, AGN, Tierras, vol. 1605, exp. 9, and vol. 1708, exp. 5.

38. Maza, *Código de colonización*, 30.

39. Gibson, *Aztecs under Spanish Rule*, 287.

40. Taylor, *Landlord and Peasant in Colonial Oaxaca*, 70.

41. Santa María Magdalena Tapaxco, AGN, Tierras, vol. 2229, exp. 4.

42. Santiago Tlacotepec, AGN, Tierras, vol. 2234, cuads. 3 and 4. See also the compromises offered by estate owners in the jurisdiction of Cholula (AGN, Tierras, vol. 2344, exp. 2) and Chalco (AGN, Tierras, vol. 1518, exp. 6, f. 131 v.).

43. Santiago Acutzilapan, AGN, Tierras, vol. 1763, exp. 2; vol. 3672, exp. 5; and vol. 2142, exp. 2.

44. AGN, Tierras, vol. 2238, exp. 1; vol. 1641, exp. 3; and vol. 1506, exp. 1.

45. Maza, *Código de colonización*, 26.

46. Wood, "Corporate Adjustments," 183-190; and Gibson, *Aztecs under Spanish Rule*, 293. See also, Dehove's essay in this volume.

47. San Sebastián, Toluca, 1791, in AGN, Tierras, vol. 2857, exp. 4.

48. Such was the case in San Mateo, near Temascalcingo, in 1729; AGN, Tierras, vol. 1585, exp. 2.

49. Taylor, *Landlord and Peasant in Colonial Oaxaca*, 68-69. Claude Morin also found that 4/5 of the *pueblos* of Michoacán in 1792 had at least the 'six hundred varas,' but he emphasizes the difficult situation of the other 1/5; see Morin, *Michoacán en la Nueva España del siglo XVIII*, 284.

CHAPTER SEVEN

Indian Community Land and Municipal Income in Colonial Cuernavaca

AN INVESTIGATION THROUGH NAHUATL DOCUMENTS

ROBERT HASKETT
Department of History
University of Oregon, Eugene, OR

INTRODUCTION

On a fine morning in May of 1723 a small group of Spaniards and Indians gathered on lands attached to the *rancho* known as Achichica. The estate was located in the *tenencia* of Jonacatepec in the Cortés Marquesado del Valle jurisdiction of Cuernavaca, a province noted primarily for its sugar production. The purpose of this assembly was to confirm the possession of the nine-*caballería* estate (about 385 hectares) being claimed by four heirs of the Spaniard Antonio Rodríguez. But when the surveyors entered a section known as 'La cabeza de la joya' council members from the Indian community of Ayoxochiapa spoke up. Their words, translated by an interpreter from Nahuatl into Spanish, alleged that these Spaniards had forcibly dispossessed them of this land, which rightfully belonged to their community. As proof of their assertion, the council members first pointed to some maize fields in the area that were even then being cultivated by citizens of the *pueblo*. In the second place, they claimed that this section had been the property of Ayoxochiapa from time immemorial. But the council could not present any documentary proof of their ownership. Moreover, the Spanish aspirants were quick to supply records which showed that their benefactor had been legally granted the *rancho* in 1693. A council of Ayoxochiapa had been present at that time, too, yet had made no contradiction of the grant. In light of this evidence and because of the apparent weakness of the Indian case, the Spanish officials in charge of the survey refused to admit the Indian objections. Continued petitions and witness testimony submitted to the authorities by Ayoxochiapa through 1725 were of no avail; the *rancho* of Achichica, including the section known as 'La cabeza de la joya', remained firmly in Spanish hands.¹

The roots of such land conflicts between Spaniards and Indian communities stretched far back into the early colonial period. Population loss and the reorganization of towns through the sixteenth and early

seventeenth-century *congregación* process had created large amounts of 'vacant' land. Spaniards were able to assume ownership of some of it, but in and around Cuernavaca a large amount remained under the control of Indian communities. During much of the seventeenth century many of them actually seem to have had a surplus. Part of their ability to do so must have stemmed from the fact that following 1640 the region's Spanish-owned sugar industry entered a period of decline. As long as enough of a landbase remained, the apparently inexorable demographic loss of these years left many town councils reluctant to go to the expense of lengthy court battles to counter Spanish land usurpation.² Then population began to recover, sugar began to boom once again, and pressure on the existing corporate landbases began to mount.

So struggles like Ayoxochiapa's erupted all over the Cuernavaca region in the eighteenth century, just as they did throughout central New Spain. This was because land was an essential ingredient in a town's fiscal well-being and one of the most important tests of its corporate integrity. Indian litigants knew that there were a set of laws protecting their land tenure from outside encroachment, and through long experience they had become familiar with the legal maneuvering that would invoke them. However feeble these protections might have been in reality, communities which had some sort of documentary proof of ownership -an earlier act of possession or *composición*, a land grant bestowed upon them by the Spanish authorities, or perhaps the records of an early, successful case involving the same property- stood a fair chance of winning restitution or recognition of the lands in question from the colonial courts.

But if they found themselves in the same situation as Ayoxochiapa and were unable to supply such written proofs, it was very difficult for them to prevail against Spanish interests. If resort to the court system failed them or seemed likely to lead to nothing, a variety of extra-legal tactics were employed by many towns; it is likely that the maize fields being worked at 'La cabeza de la joya' by citizens of Ayoxochiapa had been planted solely to assert corporate ownership. Many such strategies have received ample study by scholars over the years, but an especially subtle method used by some Indian litigants is only now receiving the attention it deserves. This was the fabrication of Nahuatl language land titles, known as *títulos primordiales*, which seemingly proved that the plots in question had indeed been corporate property "from time immemorial."

Whether or not individual records were authentic in a strictly legal sense is today almost beside the point. For from an analysis of the body of records, legitimate or otherwise, generated in relation to corporate properties and land disputes we can begin to understand several important things about the Indian community as a landholding entity. One of the most basic and crucial is the indigenous view of the corporate landbase. Another concerns the true nature and complexity of municipal property and the variety of uses to which it was put.

And having established the centrality of land to corporate well-being, we can further our comprehension of the complex set of forces that drove Indian town government to defend its landholdings, even in the face of repeated reversals.

THE NATURE OF THE CORPORATE LANDBASE

Primordial titles, including those from the Cuernavaca region (of which eight examples have been located), are among the most controversial documentary genres as far as historical veracity is concerned. In seeking to establish the legality and antiquity of corporate land ownership, the titles record early grants given to the community by the first Marqués and/or the king in recognition of among other things the enthusiastic aid supposedly given by their ruling groups to the conquering Spaniards. Detailed boundary surveys of the granted properties are another standard feature.³ But internal evidence suggests that they were really composed in their existing form beginning in the very late seventeenth century. Further, the boundary surveys described in them may identify lands thought once to have belonged to the community as well as those actually possessed.⁴

Whether or not Spanish judges understood all of these quirks, they usually ignored or rejected the titles. For us to react in the same way does them and their elite authors a great disservice. To begin with, the titles were not hastily written documents composed solely for an external audience. Their authors, believing that they were preserving authentic local histories, were copying and probably embellishing earlier written and oral traditions.⁵ The titles demonstrate that as far as the jurisdiction's Indian town elites were concerned, the community's right to a landbase did not rest solely on colonial criteria. Their texts assert that Cortés or other Spaniards recognized the communities' status as prequest *altepetl* and the integrity of their pre-existing landbases. Three of the titles state that for this reason either Cortés or the king granted the town in question a coat of arms. This device was not only graphic evidence of corporate independence but was also thought to protect and to legitimize the town's land ownership. One of the documents even included a crude drawing of the supposedly ancient town arms, stating that the surveying and portection of their lands was done by the authority of "*our coat of arms composed for us by our great ruler [and] with which we are to be aided forever.*"⁶

Much of this is drawn from standard criteria of corporate status traceable to pre-Hispanic concepts, which defined an *altepetl* as a unit with a ruling dynasty, a system of government, one or more religious structures, and of course a landbase.⁷ These were all considered criteria for independent *pueblo* status in the colonial period and were finally enshrined in law or practice by the eighteenth century, when they were frequently invoked by litigants who were trying to established their community's right to *cabecera* or *pueblo* status.⁸ Implied

by all of this is an extremely significant point: the authors of the titles were not only defining their land rights in colonial terms, but were basing them on traditions which predated the Spanish arrival.

On a more pragmatic level, the titles seem to contain solid and sometimes unique information about the nature of the corporate landbase. Boundary descriptions look at first hopelessly confused and incomprehensible. The *tlalquauhxochitl*, as boundaries were called (a variation of the more standard *tlalquaxochtili*), snaked here and there across the landscape, delineated by trees, hills, or the lands of other towns or estates. Of limited value now for their own sake, they are historically significant for two reasons. First, they probably were not really as vague as they seem. Many of the landmarks were verifiable at the time, such as the so-called 'Cross of the Marqués', located on a shoulder of land to the north of Cuernavaca that marked one of the limits of the Marquesado del Valle. Second, at least some of them may have been fairly accurate. The outlines of lands recorded in one title allegedly belonging to the noble house of the sometime *gobernador* Don Joseph Gaspar Díaz were correct; the *titulos* were pronounced a forgery, but through other means Don Joseph finally won confirmation of the same lands delineated in the title. In the final analysis, it seems unlikely that towns hoping to protect or enlarge their lands by means of the titles would have concocted entirely useless boundary descriptions. The surveys, then, are plausible records of the overall extent of lands to which a town felt itself entitled.⁹

The titles' survey methodology is historically significant for another reason. The land of each district, or *calpulli*, was measured separately. From this it is clear that the district, and not the greater *altepetl*, was still considered the basic holder of land in the eighteenth century. According to the titles, the Spanish authorities also recognized the persistence of this preconquest tradition. This is entirely in keeping with the more fragmentary and scattered information to be gleaned from litigation records. While the greater council customarily brought suit when land ownership was at stake, the plot or plots in question are normally identified with one of the town's subdivisions.¹⁰

The corporate landbase in general was often referred to as *altepetlalli* (*altepetl*, 'town' and *tlalli*, 'land'), though as will be seen this could also have a more specific meaning, too. The term *altepetlalli* could be replaced by one conveying a more specific sense of 'land of a certain community', as in *Panchimalcatlalli* (land of Panchimalco) or *Nochtlacamilli* (fields of Nochtlán).¹¹ This was the community's *tlalnemactli* ('patrimonial land'), an immemorial possession which, according to the primordial titles, had been recognized by the Spanish authorities soon after the conquest.¹²

The jurisdiction's primordial titles and other Nahuatl-language town records demonstrate that more than one type of land was held by many communities. The variety of property types was vitally important and remained so into the eighteenth century. Agricultural land was classified as to whether or not it was irrigated or by soil type.

There was also *tzacamolli*, a term designating lands which were being prepared for planting or perhaps parcels which were wooded and served the community as a source of firewood.¹³ This was probably the type that was denounced as *tierras baldías* by outsiders since it was not obviously supporting crops and hence was more likely to become embroiled in land litigation, which would explain the scrupulous care of titles authors to include specific mention of it in their documents. Additionally, land was defined as *calmilli* or *callalli* (house lot), which usually consisted of a house site and a certain amount of agricultural land.

Corporate land distributed to citizens in the form of subsistence plots held by right of usufruct was termed *calpullalli* (*calpulli*, 'district' and *tlalli*, 'land') or in Spanish *tierra de repartimiento*. The usufruct, but not actual ownership, could be left to heirs but was legally inalienable and returned to the community if the holder of usufruct died without issue. There is a certain amount of controversy over the exact meaning of *calpulli* (and hence *calpullalli*) in other regions, some believing that it meant 'shrine', others maintaining that the more traditional translation of *barrio* (district) is the proper one. In the province of Cuernavaca *calpulli* almost always meant 'district' and was often used interchangeably (sometimes in the same document) with *tlaxillacalli*, a slightly more common term used to designate subdivisions of an *altepetl*. Moreover, larger *calpulli* were further subdivided, and these units were also called *calpulli*. And the contextual appearances of *calpullalli* or *tierra de repartimiento* remove all doubt about the meaning of these terms; they invariably refer to *calpulli* land divided into subsistence plots.¹⁴

Finally, several of the titles not only include surveys and protections of corporate land, but they also contain similar information about the private holdings of the elite.¹⁵ This is at first surprising because in the records of the late sixteenth century land referred to as *pillalli* ('noble land') or more rarely *tlatocatlalli* ('ruler's land') was being treated as private property. However, before the conquest *pillalli* and *tlatocatlalli* seem to have been lands of the *altepetl* held by the ruling class by right of rank or status but which had not yet become true private possessions. It could be argued that the inclusion of this kind of property was a self-serving ploy by the elite titles authors to protect their personal possessions. Yet a careful reading of the *titulos* suggests that the older way of looking at *pillalli* and *tlatocatlalli* had not entirely died out and that this type of land still formed an integral if somewhat distinct part of a community's holdings. Records of *cabildo* actions involving such land in the colonial period point to the survival of this status as well. *Pillalli* was sometimes sold or rented by councils seeking a source of additional revenue. They had a right to do so, they said, because the property had reverted to the community through abandonment or due to the extinction of a noble family.¹⁶

THE UTILITY OF THE CORPORATE LANDBASE

Indian towns had great need for a viable landbase, and not just because it was the source of subsistence plots. The jurisdiction's municipalities depended upon their lands, or rather the income derived from these properties, to cover a variety of expenses, such as building construction and repair, officer salaries, litigation, and tribute of the dead or absent still listed on census rolls (communities also raised money through extra cash assessments levied on each tributary). Crops, usually maize but sometimes sugar cane, raised on specially designated corporate holdings formed the basic source of income used to maintain a community treasury, known as the *caja de comunidad*.¹⁷ With the same end in mind, towns with enough pasturage raised and sold livestock for a profit, and those with sufficient *monte* (woodland) sold firewood to nearby sugar refineries, which were voracious users of such fuel.¹⁸ Expenses connected with the maintenance of the local church, the provision of food and other supplies to the local priests or friars, and the financing of the calendar of church celebrations (including outlays for wax, flowers, incense, and fireworks) were equally demanding of the same income sources.¹⁹ While individual contributions and the efforts of *cofradías* (lay brotherhoods) had their place, it is quite clear that municipal funds, most of them raised from corporate lands, were the single most important source of support for the church to Independence.²⁰

Agricultural revenues as a whole often were insufficient to meet these kinds of civil and ecclesiastical expenses. This led some *cabildos* to sell town land outright to raise money, though the legality of such alienations was questionable. Most sales occurred during the seventeenth-century era of demographic decline, land surplus, and the stagnation of the sugar industry. More common from at least the second half of the sixteenth century were rentals or long-term leases (*censos perpetuos*) of town lands to outsiders. This strategy became extremely common during the following century, from the same causes that led towns to sell corporate property. Rentals, in fact, were one of the most important sources of income for many of the jurisdiction's Indian towns, and continued to be a common source of corporate revenue in the eighteenth and even early nineteenth century, even though there was renewed internal and external pressure on the jurisdiction's arable land area. As late as 1808-1810 nine communities in the greater Yautepec-Oaxtepec region were able to earn a good income by renting one or more plots to Spaniards (Oaxtepec was renting out five *ranchos* and some pasture land, for example). Whether or not such later rentals depleted lands available for subsistence is not clear, but the need to finance municipal and church operation was obviously still an imperative.²¹

For most of the colonial period only certain types of land were considered by councils as eligible for sale or rent. *Altepetlalli*, referring in a more restricted sense to town lands exclusive of subsistence plots,

tecpantlalli (land for the support of the palace or by extension town government), and properties labeled in Spanish as *tierras de comunidad*, were the most common property types involved. On the other hand, *calpullalli* was normally considered off limits. If a *cabildo* attempted to rent or alienate such proscribed land it was liable to face internal disputes, some of which eventually reached the colonial court system. Only in exceptional circumstances, when demographic decline left a town with a large amount of surplus *calpullalli*, for instance, could it be sold or leased. The operating principle here was that certain corporate property could be used for income, while other holdings would provide for the subsistence of citizens. Moreover, municipal property could only be surrendered to private holders by the unanimous vote of the *cabildo*. It was this attitude, arising in equal part from pre-Hispanic traditions and the realization that unscrupulous outsiders might usurp rented land, that acted as a brake on wholesale alienation. Colonial law played a far less important role, for although Indian *cabildos* were required to obtain licenses before renting or selling land, they rarely did so because of the time and expense involved in the process.²²

Nonetheless, over the course of time both *calpullalli* and land rented to outsiders did have a tendency to come under private ownership. Indian nobles or even sometimes commoners successfully claimed *calpullalli* as their own property. Spanish authorities often recognized the right of the individual over those of the *calpulli* or *alteptl* in such cases.²³ Of course, much of this land would have remained at least nominally part of the corporate landbase in the broadest sense, but the situation was different when non-Indian renters usurped their leaseholds. A good number of these actions were given the patina of legality during *composición* programs ordered first by the Marquesado and then by the royal government in the 1620s through the 1640s. Many a Spanish renter of corporate property renegotiated his or her rental agreement at this time. With an audacity which must have arisen from a supreme confidence in the superiority of Spanish claims, many of them actually presented the authorities with copies of Nahuatl lease agreements to prove legal tenure or ownership! With some exceptions, payment of the rental or lease was transferred to the Marquesado or to the royal government, which were supposedly acting for the Indian community. In reality they were removing this source of income from the Indian world. Some towns complained, others did not, but few Indian protests seem to have been successful at this time. The losses were piecemeal, insidious, and occurred during a period when most communities still had ample land for their own uses.²⁴

In the late seventeenth century Indian population was recovering and the regeneration of communities formerly congregated with others became common. What is more, non-Indian population was on the rise. Many of these people hoped to establish agricultural enterprises geared to supply local and Mexico City markets with maize and

other food products. Then after 1750 the sugar industry revived and expanded. More non-Indians entered the region, outnumbering Indians in places like Cuernavaca by the late eighteenth century, though penetration continued to be uneven and incomplete in many areas. Estates of all kinds proliferated, until by the 1790s there were eighty-seven *haciendas* and *ranchos* in the area. This era of multifaceted pressure on the land ushered in the well-known period of dispute and struggle. Now with increasing frequency and vigor the jurisdiction's Indian municipalities began to sue non-Indians for encroachment, for the illegal occupation of lands involved in the *congregación* process, and for the usurpation of lands which formerly had been leased to Spaniards. Now councils like Ayoxochiapa's were more inclined to contradict land grants, and in 1732 many towns tried to manipulate a renewed period of composition to their own advantage, as always with uneven success. The urgency of the situation led the jurisdiction's indigenous citizens to take matters into their own hands, using Nahuatl primordial titles to replace lost or non-existent 'legal' titles, invading so-called Spanish properties and hurriedly planting crops or even building houses there, moving boundary markers, rioting, burning encroaching sugar cane fields, and in at least one recorded instance capturing an estate owner and threatening him with death.²⁵

But counter-invasions of disputed land were easily detected. Violence (always a last resort) could prejudice the authorities against Indian litigants. So the *cabildos* continued to put their faith in the legal system despite repeated stalemate or outright failure precisely because they did not always fail. It was true that by the mid-eighteenth century the jurisdiction's Indian communities had experienced a net loss of land to the Spanish world. Yet the record of corporate landholding and land use in the region demonstrates that many towns were able to rely on a viable and varied property base for subsistence and revenue even in the early nineteenth century. As in places where this topic has been studied by others such as Metztlán, Oaxaca, and the Toluca Valley, contributing factors included tenacity on the part of Indian litigants as well as a still imperfect penetration of the jurisdiction by non-Indians. It also seems that corporate land tenure was protected by the continued willingness of Spanish estate owners to rent some property from the *cabildos*; beyond a certain point they may have felt that landownership represented a greater financial risk than rental. And Spanish officials seem to have been unwilling to oversee a wholesale removal of land from the control of Indian communities, since their tribute was still an important source of revenue for the Marquesado.²⁶

This brings us back to the role of all of this in Nahuatl documents in general and of primordial titles in particular. If it is true that the latter were readily labeled spurious by the colonial authorities, why did some of the jurisdiction's Indian towns continue to write them and submit them as evidence in litigation? The answer to this question is relatively simple. Their evidentiary function was only one aspect of a larger purpose. For in these documents was enshrined the

local vision of history, of corporate integrity, and of the nature of the corporate landbase. This vision, when integrated firmly in a context provided by other Nahuatl and even Spanish records, is a revealing one for those of us who seek to understand the Indian municipality as a landholding entity. In the Cuernavaca jurisdiction, pre-Hispanic notions of land types and their appropriate corporate function were reconciled with varying degrees of success to the post-conquest situation. Municipal properties, held ultimately by individual districts, continued in their broadest definition to include ostensibly private lands of the local elite. The very possession of land was itself a major test of true municipal status. Without a landbase a town could not survive, either physically or spiritually. The active preservation of these older traditions fortified the municipal bodies as they struggled against mounting challenges to their corporate integrity.

ENDNOTES

1. Archivo General de Indias, Seville (hereinafter AGI), Indiferente General, leg. 90, no. 3 (Ayoxochiapa vs. Spaniards over ownership of the rancho of Achichica, 1723).
2. Wayne Osborn, "Indian Land Retention in Colonial Metztlitlan," *Hispanic American Historical Review* (hereinafter *HAHR*), 53 (1973), 217-238, esp. 226, sees a similar pattern; reprinted in this volume, pp. xxx-xxx. Cheryl Martin, "Demographic Trends in Eighteenth-Century Morelos," (unpublished paper, author's files) sketches the periodization of the sugar industry, and in *Rural Society in Colonial Morelos* (Albuquerque, 1985), 47-49, discusses Indian retention of land and their manipulation of the *congregación* process. Archivo General de la Nación, México (hereinafter AGN), Tierras, vol. 1872, exp. 8, fols. 1r-8r contains details of lands possessed by the *pueblo* of Ahuacatitlan, a *sujeto* of Cuernavaca, which has been able to retain land involved in the *congregación* process, seventeenth through eighteenth centuries.
3. All but three of the titles from Cuernavaca and its hinterland survive within the context of eighteenth-century land disputes: "Municipal Codex of Cuernavaca," Bibliotheque Nationale de Paris (hereinafter BNP), Manuscript Mexicaine 291/292, published as *Código municipal de Cuernavaca, anónimo del siglo XVI* (México, 1951) and in G. Michael Riley, *Fernando Cortés and the Marquesado in Morelos, 1522-1547* (Albuquerque, 1973), 100-109; BNP, Manuscript Mexicaine 102 ("Axayacatl Titulos," a post-colonial transcription); Robert Barlow, "Unos títulos de Cuernavaca," in *Tlalocan*, 2:3 (1946), 213-222; AGN, Hospital de Jesús, leg. 447, exp. 7, fols. 1r-6v ("Díaz títulos de Cuahuhnahuac [Cuernavaca]"); Hospital de Jesús, vol. 48, 2nd part, exp. 9, cuad. 3, fols. 564-567r (primordial titles of Chapultepec, a *sujeto* of Cuernavaca); Hospital de Jesús, vol. 79, exp. 4, fols. 121r-125r (primordial titles of Chamilpa); Hospital de Jesús, leg. 447, exp. 81, fols. 6r-8v (two titles from the town of Ocotepc).
4. Orthographic analysis of the Cuernavacan titles shows that many elements in the Nahuatl did not enter common usage until the late seventeenth century. For more detailed discussions of this topic and other aspects of primordial titles see James Lockhart, "Views of the Corporate Self and History in Some Valley of Mexico Towns: Late Seventeenth and Eighteenth Centuries," in *The Inca and Aztec States, 1400-1800*, George A. Collier, Renato I. Rosaldo, and John D. Wirth, eds. (New York, 1982), 367-393, esp. 370. See also Stephanie Wood, "Corporate Adjustments in Colonial Mexican Indian Towns: Toluca Region, 1550-1810" (Ph.D. diss., University of California, Los Angeles, 1984), 322-343; and Charles Gibson, "A Survey of Middle American Prose Manuscripts in the Native Historical

Tradition," in *Handbook of Middle American Indians*, Robert Wauchope, gen. ed. (Austin, 1975), XV, 311-321; *Guide to Ethnohistorical Sources*, Howard F. Cline, ed. (Austin, 1975), 320-321.

5. Cuernavaca's titles were almost certainly written by members of the local nobility, most probably by elite notaries. A more thorough discussion of this topic was carried out in Robert Hasket, "Cuernavaca's Primordial Titles: History or Fabrication?" (paper delivered at the V Symposium of Latin American Indian Literatures, Cornell University, 1987). Wood, "Corporate Adjustments," 321-328, discusses the nature of titles in the Toluca Valley; the Cuernavacan examples have many points in common with them.

6. AGN, Hospital de Jesús, vol. 79, exp. 4, fol. 125r (Chamilpa títulos, which includes a drawing of the arms). Coats of arms also are mentioned in BNP, Manuscript Mexicaine 291/292 ("Municipal Codex"); and BNP, leg. 447, exp. 81, fols. 6r-7v (Ocotepc títulos).

7. Susan Parry Schroeder, "Chalco and Sociopolitical Concepts in Chimalpahin: Analysis of the Work of a Seventeenth-Century Nahuatl Historian of Mexico" (Ph.D. diss., University of California, Los Angeles, 1984), 140-141.

8. Wood, "Corporate Adjustments," 188-190.

9. William H. Prescott, *The Conquest of Mexico* (New York, 1967), 530. On Don Joseph, see AGN, Hospital de Jesús, leg. 447, exp. 7 ("Díaz Títulos").

10. Almost all titles measure land in this way. See for example AGN, Hospital de Jesús, vol. 48, 2nd part, exp. 9, cuad. 3, fols. 564r-567r ("Chapultepec títulos") and Hospital de Jesús, leg. 447, exp. 81, fols. 6r-7v (two *títulos* of Ocotepc). AGN, Tierras, vol. 1962, exp. 8, fol. 23r (Nahuatl record of an investigation of land ownership in Cuernavaca's Tecpan district, c. 1580); AGN, Hospital de Jesús, leg. 210, exp. 23 (Nahuatl petition concerning land held by Cuernavaca's district of Xalan, c. 1607).

11. AGN, Hospital de Jesús, vol. 52, exp. 18, fol. 3r (Nahuatl land rental document, Pan-chimalco, 1625); Hospital de Jesús, vol. 48, 2nd part, exp. 9, cuaderno 3, fols. 546r-567r (primordial titles of Chapultepec, first decades of eighteenth century).

12. See the use of this term in AGN, Hospital de Jesús, vol. 52, exp. 6, fols. 3r-4r (Nahuatl petition from Acatlicpa to the Marquesado, 1637) and in leg. 447, exp. 81, fols. 6r-7v (Ocotepc títulos).

13. There is a suggestion in this document, as yet not fully verified, that in the Cuernavaca region the term *tzacamolli* (commonly spelled *çacamolli* elsewhere) also referred to land kept fallow for agricultural reasons or not under cultivation because of population loss (or by the eighteenth century to serve as a cushion to meet the needs of expanding population); see AGN, Hospital de Jesús, leg. 447, exp. 81, fols. 6r-7v ("Ocotepc títulos"); and AGN, Hospital de Jesús, vol. 79, exp. 4, fol. 125r ("Chamilpa títulos").

14. See Pedro Carrasco, "Estratificación social indígena en Morelos durante el siglo XVI," in *Estratificación social en la Mesoamérica prehispánica*, Pedro Carrasco and Johanna Broda, eds. (México, 1976), 102-117, esp. 105, and S. L. Cline, *Colonial Culhuacan, 1580-1600* (Albuquerque, 1986), 36, 147-149; Victor Castillo F., *Estructura económica de la sociedad Mexica* (México, 1972), 73; and Luis Reyes García, "El término calpulli en los documentos del centro de México," and "El término calpulli en documentos del siglo XVI" (unpublished papers, author's files). Genealogical Society of Utah Roll 659054 (interchangeable use of *calpulli* and *tlaxillacalli* in Cuernavaca, c. 1600-1650); AGN, Hospital de Jesús, leg. 210, exp. 28 (Cuernavaca's subdivision of Tlanihuic Tecpan and its district of Otlipan both called *calpulli* in a Nahuatl document, c. 1607); Hospital de Jesús, vol. 48, 2nd part, exp. 9, cuad. 3, (Chapultepec vs. the *ingenio* of Atlacomulco over possession of two plots of *tierra de repartimiento*, 1730s-1750s).

15. BNP, Manuscript Mexicaine 291/292 ("Municipal Codex"); AGN, Hospital de Jesús, leg. 447, exp. 7 ("Díaz títulos").

16. See AGN, Civil, vol. 1103, exp. 8, fols. 103r-103v (council of Xochitepec renting *pillalli* which has devolved to municipality, 1631); AGN, Tierras, vol. 2684, exp. 4, fols. 3r-v (council of Cuernavaca renting *pillalli*, 1636).

17. AGN, Civil, vol. 1103, exp. 8, fol. 68r (Nahuatl land sale document from Cuernavaca, 1608); AGN, Hospital de Jesús, leg. 78, exp. 19 (San Francisco Tetecala earns income from sale of sugar cane, 1758); Hospital de Jesús, leg. 93, exp. 32 (Cuernavaca's council rents a substantial stone house built especially for this purpose to Spaniards, 1690s). The *caja* system is discussed in Charles Gibson, *The Aztecs under Spanish Rule* (Stanford, 1964), 213-214; and in Robert Haskett, "Indian Town Government in Colonial Cuernavaca: Persistence, Adaptation, and Change," in *HAHR*, 67:2 (1987), 212-213.
18. AGN, Tierras, vol. 67, exp. 11 (Tepostlán sells cattle raised on a *caballería* of pasture land for income, 1591); AGN, Hospital de Jesús, vol. 86, exp. 5S, f. 5 (Texcotitlán, a *su-jeto* of Tepostlán, sells firewood to sugar refiners); AGI, Indiferente General, leg. 107, libro 1, ff. 289-301v (Tepostlán and Huichilac gain income from the sale of firewood, 1743); and James Lockhart, Frances Berdan and Arthur J. O. Anderson, *The Tlaxcalan Actas. A Compendium of the Records of the Cabildo of Tlaxcala (1545-1627)* (Salt Lake City, 1986), 25-26.
19. Biblioteca Nacional de México, Fondo Reservado, Fondo Franciscano Caja 91, exp. 1389, nos. 14, 15, and 16 (Council of Xiutepec finances endows masses, 1629-1757); AGN, Hospital de Jesús, vol. 52, exp. 15, fols. 7r-13r (Texoyuca, nine Nahuatl lease documents containing information about the financing of *fiestas*, 1691), and AGN, Hospital de Jesús, leg. 78, exp. 19 (Tetecala finances repair of its Franciscan monastery's roof, 1758).
20. AGN, Civil, vol. 997, exp. 14, fols. 1r-1v (almost three-fourths of the support for Tepostlán's church came by way of the *villa's cabildo*, 1789). See also AGN, Hospital de Jesús, vol. 82, exp. 17 (land rentals generate income for town churches, Yautepec/Oaxtepec region, 1804-1808) for similar information.
21. See Haskett, "Indian Town Government," 221-222; Gibson, *Aztecs*, 212; and William B. Taylor, *Landlord and Peasant in Colonial Oaxaca* (Stanford, 1972), 78. AGN, Hospital de Jesús, leg. 277, exp. 9 (Cuernavaca rents sugar cane land to the Marquesado, 1551); Hospital de Jesús, vol. 80, exp. 1 (Cuernavaca rents land to Spaniards, 1620s); Hospital de Jesús, leg. 273, exp. 43 (the same, 1680s and 1690s); Hospital de Jesús, vol. 48, part 2, exp. 9, cuad. 3, fols. 544r-554r (Cuernavaca, six Nahuatl leases from the later seventeenth century); and Hospital de Jesús, vol. 52, exp. 15, fols. 7r-13r (nine Nahuatl rental receipts from the jurisdiction, 1691). AGN, Hospital de Jesús, vol. 82, exp. 17 (land rentals in the Yautepec/Oaxtepec region, 1804-1808). For the eighteenth century see: AGN, Hospital de Jesús, vol. 86, exp. 44 (Tepostlán, 1700-1710); Hospital de Jesús, leg. 344, exp. 79 (Cuernavaca, 1736); Hospital de Jesús, vol. 67, exp. 18; and Hospital de Jesús, vol. 82, exp. 17 (Yautepec, 1731 and 1780).
22. AGN, Tierras, vol. 1506, exp. 2 (Cuernavaca, internal dispute over status of rented land, 1570); AGN, Hospital de Jesús, vol. 48, part 2, exp. 9, cuad. 3 (Cuernavaca, Nahuatl leases from the seventeenth and early eighteenth centuries); AGN, Civil, vol. 1103, exp. 8, fol. 68r (sale of *calpullalli* due to population loss in Cuernavaca, 1608). Haskett, "Indian Town Government," 219-222.
23. H. R. Harvey, "Aspects of Land Tenure in Ancient Mexico," in *Explorations in Ethnohistory. Indians of Central Mexico in the Sixteenth Century*, H. R. Harvey and Hanns J. Prem, eds. (Albuquerque, 1984), 83-102, esp. 90-93.
24. AGN, Hospital de Jesús, leg. 96, libro 1, fols. 111r-222v (Xiutepec contests renegotiation of *censo* with a Spanish renter and the royal authorities, 1639-1659); Hospital de Jesús, leg. 96, libro 4, fols. 42r-77r (Xochitepec vs. a Spaniard and the Marquesado over rental of six *caballerías* and a *sitio de ganado menor* [c. 2558 acres] in the '*pueblo despo-blado*' of Chiconcuac - the Marquesado rules that the *pueblo* has ample land elsewhere and rather mercenarily agree to renegotiate the *censo* in its own favor, 1624). Osborn, "Indian Land Retention," 226, notes that the 1630s in Metztlitlán Indians were beginning to contest some land usurpations or acquisitions by Spaniards.
25. Martin, *Colonial Morelos*, 61-21, 157 (table showing non-Indian residents of several towns, 1795), 85-86, 109 (rioting, field burning, and death threats), and, "Demographic Trends," 2, 9 (increases in market-oriented agriculture and the revival of the sugar industry); Wood, "Corporate Adjustments," 195-237 (Toluca Valley); AGN, Padrones, vol.

98, exp. 1, fols. 7r-8v (Cuernavaca jurisdiction has "many haciendas and ranchos," 1790); AGN, Historia, vol. 578b, exp. 2, fols. 60r-62r (relación geográfica de Cuernavaca, 1792, for number of estates); AGN, Hospital de Jesús, vol. 16, exp. 2 (Huitzilac tries but fails to compose a land area several leagues in circumference); Hospital de Jesús, leg. 447, exps. 2, 36, 58, 59, 60, 61, 63, 65, and 67 (Alpuyeca, Atlacahualoya, Jojutla, Jonacatepec, Mazatepec, and Tetecala attempt to compose land, 1732); Hospital de Jesús, vol. 78, exp. 4, fols. 11r-18 (Ticmán contests ownership of a 400-square vara plot of can land with the Jesuit hacienda of Xochimancas, 1741; Hospital de Jesús, vol. 51, exp. 32 (Guanahuazingo, possessing a 600-vara townsite, contests ownership of six caballerías of land with the hacienda of Acamilpa, 1768); AGN, Hospital de Jesús, vol. 48, 2nd part, exp. 9, cuad. 3 (Indians of Chapultepec, led by a fiscal, invade pasture land involved in a dispute with the ingenio of Atlacomulco, erect huts, and lay out fields, 1759).

26. Martin, *Colonial Morelos*, 47-48; Osborn, "Indian Land Retention," 231-234; Taylor, *Landlord and Peasant*, 195-201 and "Landed Society in New Spain: A View from the South," in *HAHR*, 54:3 (1974), 398, 405; Wood, "Corporate Adjustments," 385-386. In contrast, Gibson, *Aztecs*, 274-279, found that in the more heavily settled Valley of Mexico Indian communities were losing extensive properties by the 1590s.

Indian Land Retention in Colonial Metztlán

WAYNE S. OSBORN*

Department of History

Iowa State University, Ames, Iowa

The extent of Indian land retention in New Spain is a critical factor in any evaluation of the impact of Spanish colonization upon the native population. The traditional view, based primarily on François Chevalier's analysis of land tenure patterns -published in 1952-, has been that the steady absorption of land by Spanish agricultural units deprived Indian communities of their best lands and, as a consequence, forced Indians to assume subservient roles within the colonial economy. Although Chevalier cautioned against assuming that such a process of Indian land deprivation occurred with equal intensity in all areas of New Spain, it took nineteen years to identify some regional variations in land distribution patterns to challenge the colony-wide validity of Chevalier's basic model.¹ In 1972, the historian William B. Taylor was among the first to perform this function by demonstrating that Oaxacan Indian communities and *caciques*, instead of falling victim to wholesale land alienation, retained sufficient land to meet basic subsistence requirements and thereby avoid economic dependence upon Spanish estates.²

In view of these contrasting assessments of Indian land retention, Taylor postulated that Chevalier's formulation may most accurately have applied to land conditions in northern Mexico, while the Oaxacan pattern of his research may have been more typical of land distribution in southern Mesoamerica.³ When the discussion started, additional studies were needed to determine the applicability of either the Oaxacan or northern Mexican land patterns to other areas of New Spain. With that objective in mind, I focussed on the history of land possession by the Indian community of Metztlán in central Mexico

* Slightly revised reprint from *The Hispanic American Historical Review*, 53:2 (May 1973), 217-238. Copyright © by the Duke University Press. Reprinted by permission of the Publisher. Professor Osborn has published additional material on land use in colonial Metztlán in his "Land Utilization in Late Eighteenth-Century Metztlán," in *Revista Encuentro*, 17 (1987), published by the Colegio de Jalisco.

and its satellite villages during the colonial period. The central issue considered was whether or not these Indian villages, in the face of Spanish land acquisition, retained enough land to sustain their inhabitants by means of agricultural production on their own landholdings. This study still contains enough information to reprint it in this volume.

Metztitlán, located some 200 kilometers northeast of Mexico City on the edge of the Mesa Central, has had a continuous history as a regional political center from the pre-Colombian era to the present. Prior to the arrival of the Spaniards, Metztitlán served as the capital of an independent political entity (designated as a *señorio* in post-Conquest terminology) which by force of arms preserved its autonomy vis-à-vis the Aztecs. With the advent of Spanish authority, Metztitlán was initially integrated into the colonial structure as the administrative center for the *alcaldía mayor* named after it. As a result of the intendency reform of the late eighteenth century, Metztitlán then became a *partido* within the Intendency of Mexico. Finally, after a series of jurisdictional reorganizations during the first century of the national period, Metztitlán in 1917 emerged as the center of one of the eighty-two *municipios* in the modern Mexican state of Hidalgo.⁴

The geographic focus of Metztitlán is the valley of the same name. Oriented along an axis running from the southeast to the northwest and encompassing an area of approximately 27,500 acres, the valley extends about forty kilometers from its inception at a point known as Venados to the Lake of Metztitlán which serves as the terminus for the Metztitlán River.⁵ The agricultural value of this valley is attributed to specific geological factors. A prehistoric landslide dammed off the northwestern end of the valley which obstructed the natural drainage of the Metztitlán River into the Gulf of Mexico via the Pánuco basin. Although subterranean drainage siphoned off some water, the flow was insufficient to handle the volume of water carried by the river. Consequently, the Lake of Metztitlán formed in front of the obstruction and soil carried by the river silted out to form a narrow but fertile valley well suited to irrigated farming.⁶ But the very factors that made the valley valuable for agricultural production also produced the major disadvantage of the area: recurrent floods. Depending on the amount of annual rainfall, the lake and river flooded varying proportions of adjacent valley land. The obvious remedy for this problem, construction of drainage tunnels, was considered on several occasions during the colonial period, but no adequate drainage system was completed until the twentieth century.⁷ However, even before the advent of improved drainage, a portion of valley land usually escaped the floods, and this area provided a nucleus of usable land for regular cultivation of basic crops such as maize, beans, cotton, several varieties of chile, and, after Spanish contact, wheat.⁸

Located strategically twenty kilometers from the beginning of the valley and seventeen kilometers from the lake, the colonial town of

Metztitlán served as the *cabecera* (head village) for numerous subordinate villages or *sujetos* clustered along the edges of the valley and in the surrounding mountains. Although it is difficult to determine the exact number of *sujetos* attached to Metztitlán, it appears that the total ranged from forty in the middle of sixteenth century to approximately thirty in the eighteenth century.⁹ The history of Indian land possession considered in this chapter deals with the entire *cabecera-sujeto* complex as an entity, the *pueblo de indios* discussed by other authors in this volume, not just the *cabecera* of Metztitlán.

Although information on pre-Hispanic land tenure in the area of Metztitlán is sparse, it appears that the indigenous land system included both communal and private ownership. Indian commoners (*macegales*) had usufruct rights to parcels assigned from communally owned lands, while Indian leaders and nobles held land as private property. These two forms continued as the basic categories of land tenure among the Indians of Metztitlán throughout the colonial period. However, communal land tenure was clearly predominant, and private land ownership secondary. The preeminent position of communal tenure is well documented for the latter decades of the eighteenth century, when the *cabecera* of Metztitlán successfully blocked most attempts by individual Indians to claim land as private property. This would suggest that communal tenure dominated the land system from the beginning of the colonial period, and limited evidence of private Indian land ownership in the sixteenth and seventeenth centuries tends to confirm that conclusion. The only indications of private land ownership that have been found for these centuries are one viceregal confirmation of an Indian's inherited property in 1583 and the sale of small parcels of privately-owned land in the first decade of the seventeenth century. There is no evidence that former chiefs gained *cacicazgo* rights to land as entailed estates, or that Indian nobles consolidated extensive landholdings. Moreover, most land disputes and official title delineations for the area of Metztitlán refer to lands held by Indian villages or by Spanish estates, with no mention of private Indian holdings. Given the dominance of communal tenure, a comparison of the respective amounts of land held by Spaniards and Indian communities during the colonial period provides the general framework for assessing Indian land retention.¹⁰

Data on colonial land possession in the vicinity of Metztitlán are found in a variety of sources. Viceregal land grants offer the most comprehensive data on the size of Spanish landholdings; additional data are provided by occasional references to the extent of Spanish estates contained in information on land transfers and disputes. Indications of the extent of Indian land possession also occur in the context of specific land disputes, but the most comprehensive data appear in applications for official land titles. In most of these sources the areas involved are expressed in terms of three standards units of measurement: *estancia de ganado mayor* (officially: site for cattle rai-

sing: 4,338 acres or 1755 hectares), *estancia de ganado menor* (site for raising smaller livestock such as sheep and goats: 1,928 acres or 780 hectares), and *caballería* (crop land: 105 acres or 42.8 hectares). Although these terms initially specified the type of activity for which assigned land could be used as well as different degrees of property rights, such distinctions were gradually discarded and the term became simply units of area measurement.¹¹ These standards are used in the following discussion as the basis for computing land areas. It must be noted, however, that actual land sizes of Spanish and village holdings may have been larger or smaller than the documents indicate, since most references to area are either unconfirmed by any form of land survey, or, at best, only supported by haphazard surveys and vague boundary descriptions. Nevertheless, in the absence of fully verified information, such evidence must be used as the best source of land statistics.

Spanish land possession in the vicinity of Metztlán began with holdings acquired by two of Metztlán sixteenth-century *encomenderos* Alonso de Mérida and Andrés de Barrios. In 1543 Mérida received a viceregal grant for one and one-half *caballerías* of crop land (158 acres, 64 hectares) and one *estancia* for livestock grazing. The grant failed to stipulate whether the *estancia* site was *menor* or *mayor*, but assuming the latter, we can estimate that the combined size of Mérida's grant was approximately 4,496 acres. Although no similar land grant has been found for Andrés de Barrios, his heirs subsequently (1601) claimed possession of two *caballerías* (210 acres, 85.8 ha.) of wheat land and vineyards in the valley of Metztlán. The only other known sixteenth-century Spanish land acquisition consisted of three *caballerías* (315 acres) granted to Pedro López de Aragón in 1598. On the basis of the holdings of these three individuals, a composite figure for sixteenth-century Spanish land possessions in the vicinity of Metztlán is 5,021 acres or 2,032 hectares.¹² As there are major time gaps in sixteenth-century land grant records, it is possible that this figure constitutes only a partial indication of the total amount of Spanish land acquisition for this period.¹³ On the other hand, the fact that the areal extent of seventeenth-century Spanish properties in most instances can be traced to known sixteenth- and early seventeenth-century grants and purchases suggests that the record of sixteenth-century grants in the vicinity of Metztlán may be virtually complete.

After this relatively modest beginning, Spanish land acquisition accelerated rapidly during the first two decades of the seventeenth century. During the period 1607-1615, viceregal land grants were issued to four Spaniards: Francisco de Quintana Dueñas, Juan de Velasco, Don Fernando Oñate, and Don Juan de Sosa. Consisting of eight distinct grants, the area assigned included five *estancias de ganado mayor*, three *estancias de ganado menor*, and sixteen *caballerías*, for a total of approximately 29,154 acres.¹⁴ This total was increased to 29,469 acres when one of the recipients, Francisco de Quintana Due-

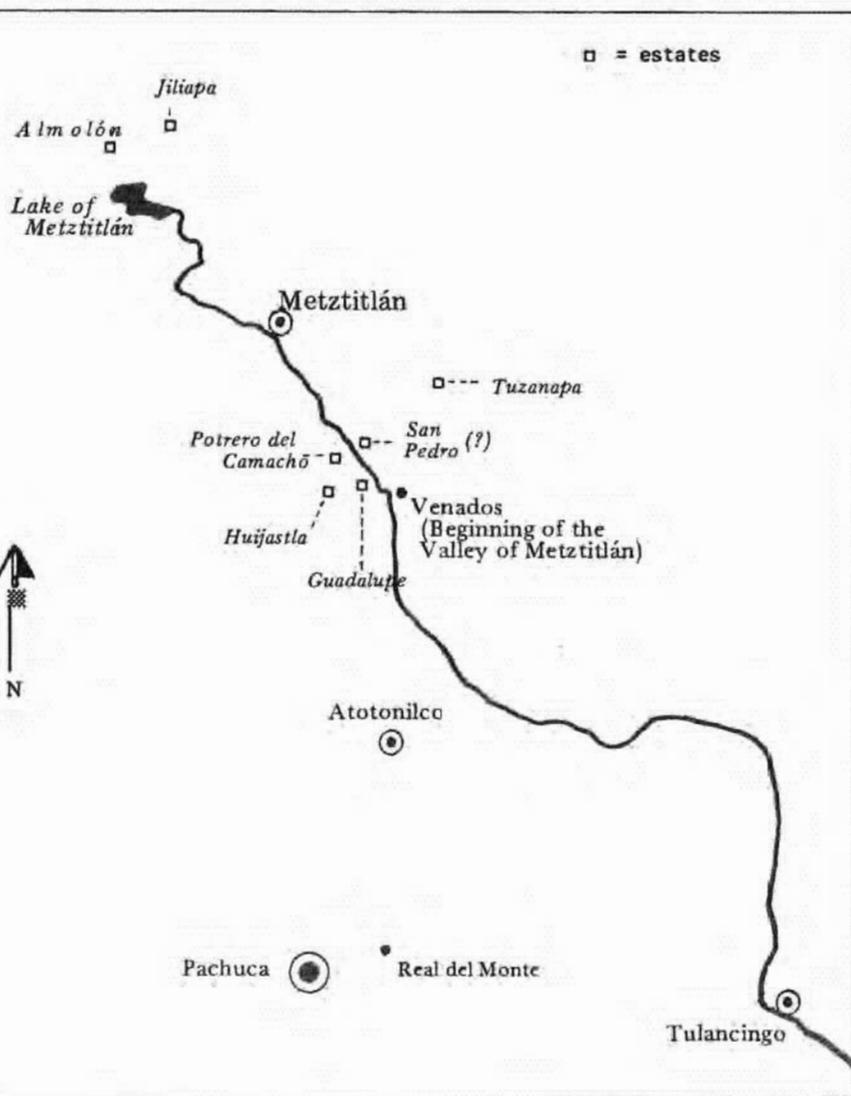
ñas, enlarged his land grants by purchasing several small parcels of land (totaling about three *caballerías* or 315 acres) from individual Indians and the community of Metztlán.¹⁵ These seventeenth-century Spanish acquisitions, in combination with the 5,021 acres alienated in the sixteenth century, brought the total extent of Spanish holdings to 34,490 acres (some 14,000 ha.) by 1615. A major portion of this total area can be identified with five Spanish landholdings extant in the early seventeenth century (in acres):

<i>hacienda</i> and <i>trapiche</i> of Almolón	1,260
<i>potrero de Camacho</i> (irrigated crop land)	210
<i>hacienda</i> of Huijastla	4,548
<i>hacienda</i> of Guadalupe (alias Nogales)	8,676
<i>hacienda</i> of Tuzanapa	<u>15,300</u>
total:	29,994

The remainder of the total area, 4,496 acres (about 2,000 ha.), equivalent to the area gained by Alonso de Mérida in the sixteenth century, cannot be linked to any known Spanish property. At the beginning of the eighteenth century (1712) these five estates, along with the *hacienda* of San Pedro, constituted the total number of Spanish landholdings in the immediate vicinity of Metztlán and its *sujetos*. This number was then increased to seven in 1718 when Don Antonio de Saucedo established the *hacienda* of Jiliapa on the basis of a vice-regal grant of 6,266 acres.¹⁶

Information on eighteenth-century sizes has been found for five of these seven units. Four of the estates, extant by the first decades of seventeenth century (Almolón, Potrero de Camacho, Guadalupe and Tuzanapa), either maintained their original sizes or expanded only slightly. Specifically, Potrero de Camacho and the *hacienda* of Guadalupe remained static in size, while the *haciendas* of Almolón and Tuzanapa added, respectively, four and three *caballerías* (735 acres) to their original holdings.¹⁷ On the basis of the eighteenth-century sizes of these four units and the *hacienda* of Jiliapa plus the seventeenth-century size of the *hacienda* of Huijastla, for which no eighteenth-century figure has been found, a total of 36,995 acres can be calculated as a partial estimate of Spanish land possession in the eighteenth century.¹⁸ Assuming that the 4,496 acres granted to Alonso de Mérida in the sixteenth century were not included in any of these six estates, we can increase this total to 41,491 acres. This latter figure may still be less than the actual extent of Spanish land possession, since no size indication for the seventh estate, the *hacienda* of San Pedro, has been found for any point during the colonial period. Yet perhaps San Pedro was largely identical with Mérida's 4,496 acres. If so, the figure of 41,491 acres may be relatively complete estimate of the total amount of land controlled by Spaniards. If not, the total can be adjusted by arbitrarily assigning San Pedro an area of 6,168 acres, based on the average size of the six estates for which data exists, to increase

MAP II. LOCATION OF THE COLONIAL CABECERA OF METZTITLÁN
IN RELATIONSHIP TO SPANISH ESTATES AND
THE MINING REGION OF PACHUCA



the estimate to 47,659. In view of these considerations, it may be postulated that total Spanish land possession in the vicinity of Metztitlán ultimately ranged between 40,000 and 50,000 acres, about 16,000 and 20,000 hectares.

The reputed fertility of land in the Valley of Metztitlán must have been a prime stimulus for Spanish land interest in this region. In 1579, the *alcalde mayor* of Metztitlán reported that one *fanega* of wheat planted on valley land yielded fifty *fanegas* in harvest, while two centuries later local observers claimed that under ideal conditions maize yields exceeded forty-five *fanegas* an acre. Beyond meeting local consumption needs, a portion of Metztitlán agricultural production found outlets in regional markets. For example, Metztitlán served as one source of agricultural supplies for the Pachucan mining region, located some 75-90 kilometers to the south. The importance of Metztitlán as an agricultural supplier for these mines is suggested by a warning in 1787 that a recent frost in the Valley of Metztitlán would reduce normal maize yields and sharply inflate maize prices in the mining camps of Atotonilco and Pachuca, see Map II. Moreover, various mine owners and residents of the Pachucan mining region held *haciendas* in the vicinity of Metztitlán during the seventeenth and eighteenth centuries. These arrangements may be construed as attempts on the part of the miners to establish more rational control over the provisioning of the mines. Among the miners holding land in the Metztitlán region was the owner of the valuable *Real de Monte* mines, Pedro Romero de Terreros, Conde de Regla, who acquired the *haciendas* of Huijastla, San Pedro, and Potrero del Camacho in the middle decades of the eighteenth century when he was engaged in the expensive rehabilitation of his mines.¹⁹

During the seventeenth century the economic ties between Metztitlán and Pachuca also involved *repartimiento* labor for the mines. At the beginning of the century Metztitlán and his *sujetos* supplied 42 Indians for this obligation every two weeks. Then as a consequence of Indian depopulation, Metztitlán's *repartimiento* requirement fell to 20 Indians in 1662. Although no later figures have been found, the *repartimiento* of Indians from Metztitlán for the Pachucan mines was still extant in 1690 when the Indians accused the miners of alleged mistreatment involving wages and food allowances.²⁰

In addition to its value as a fertile agricultural region, the area of Metztitlán may have been attracted Spanish attention by virtue of its strategic location athwart the road (*camino real*) leading from Mexico City to the Huasteca region northeast of Metztitlán. Trade passing along this route could have given resident opportunities to engage in commerce themselves, or at least to sell locally-raised pack animals to other merchants. Listings of sizable mule and horse herds in eighteenth century property inventories of both Indians and Spaniards suggest the possible existence of such trading activities.²¹

Spanish land acquisition in the area of Metztlán initially provoked little Indian resistance. Although one of the *sujetos*, San Pedro Tlatemalco, in the middle of the sixteenth century disputed Alonso de Mérida and Adrés de Barrios' claims to a small parcel of valley land, there is no evidence of Indian opposition to the much more extensive alienation of land that occurred between 1607 and 1615. A partial explanation for the absence of Indian resistance in this latter period may be the surplus land conditions caused by the declining population of the area. With more land than could be effectively used, the Indian villages might well have failed to recognize land alienation as a threat to their interests. Indeed, Indian land sales to Francisco de Quintana Dueñas in 1607 were justified on the grounds that no Indians were available to farm the areas involved.²²

Any passive acquiescence on the part of Indians to Spanish land acquisition was, however, only temporary. In 1632 the Indians acquired an *Audiencia* order instructing local Spanish officials to protect Indian land against illicit alienation. At issue was the complaint that some Indians of the area were being relocated in new settlements (*congregaciones*) for no other reason than to free Indian land for Spanish acquisition. Such being a flagrant violation of the intent of the colonial resettlement policy, the *Audiencia* readily condemned this abuse.²³

While such specific decisions as this reflected official concern for Indian land rights, Indian communities needed definitive legal instruments to provide general protection against land alienation. For the Indian villages of Metztlán this was ultimately achieved through the process of *composición*. Piecemeal consolidation of Spanish estates through viceregal land grants, direct purchases from Indians, and, in some instances, illegal encroachment on Indian land meant that many Spanish landholdings established in the sixteenth and early seventeenth centuries lacked adequate legal titles. Indian land claims suffered from similar, or even more severe, title deficiencies, with specific entitlements either non-existent or inadequate to cover all areas claimed by Indian communities. In the context of this confusion over land titles, coupled with the need for additional revenue, the crown initiated the policy of validating land possession through *composición*. As refined in the first half of the seventeenth century, this procedure gave both Spaniards and Indian communities the right to apply for comprehensive land titles by presenting extant titles along with *de facto* evidence of possession to untitled land. If these claims were judged valid, new titles were issued with the condition that the recipients pay a settlement fee or tax.²⁴

For Metztlán legalization of land rights by means of this procedure culminated in 1713 when the Indians acquired a comprehensive *composición*. Prior to this, the Indians claimed that Metztlán and its *sujetos* had received some form of official recognition of land rights on three occasions during the seventeenth century. The earliest confirmation was allegedly issued by Viceroy Lope Díez de Armendáriz in 1639. Subsequently the "superior government and royal audiencia"

granted another instrument of settlement in 1662. References to both of these entitlements are indirect, in later land disputes, and in neither instance are copies of the instruments included in the documents pertaining to those disputes. Consequently, it has not been possible to determine the nature of these two confirmations. The third seventeenth-century example of land confirmation, however, is clearly a *composición*. In the last decade of the seventeenth century the village of San Nicolás Atecoxco, one of Metztlán's *sujetos*, became embroiled in a boundary dispute with the adjacent *hacienda* of Tuzanapa. To defend its position, the village, in concert with the others within Metztlán's jurisdiction, acquired a *composición* in 1695 on payment of 50 *pesos*. On the basis of this entitlements, the *Audiencia* in 1700 issued a decision in favor of the Indian village.²⁵

Although the 1695 *composición* theoretically protected the lands of all villages in the *cabecera-sujeto* complex of Metztlán, a land dispute in 1707-1709 between the village of San Pedro Tlatemalco and Don Martín de Arxoleza, a Spaniard, demonstrated its inadequacy as a definitive entitlement for Indian holdings. Both Arxoleza and San Pedro claimed possession of the 210-acre tract known as Potrero de Camacho. As evidence of ownership, the Indians cited the 1695 *composición* and presented a map allegedly based on that instrument. Arxoleza, claiming possession of the area by virtue of purchase from the preceding Spanish owner, countered the Indian case by arguing that the *composición* did not explicitly indicate the location of San Pedro's land. On this basis, he challenged the authenticity of the map offered by the village, noting that Indians were notorious for drafting fraudulent land maps. Arxoleza's arguments proved sufficiently persuasive to win *Audiencia* confirmation for this claim by February 1709.²⁶

This decision may have prompted the immediate attempt of another Spaniard to gain land at the expense of the Indian villages. In October, 1709, Don Martín Bernardino Luzón y Ahumada, a resident of the mining center of Pachuca and current owner of two *haciendas* in the vicinity of Metztlán (San Pedro and Huijastla), denounced as vacant all land in the area that was unprotected by specific titles and lay outside the minimal townsite plots (measuring 600 *varas* in all directions from the center of each Indian village) to which each Indian village was automatically entitled.²⁷ Arguing that land exclusive of these two categories was legally royal land (*realenga*) to be assigned as the crown saw fit, Luzón offered to pay 3,000 *pesos* in return for a *composición* for all land located in the areas which separated the townsites of Metztlán and its 'sixteen' subordinate villages.²⁸

No other individual before or after Luzón ever made such sweeping claims to land within Metztlán's jurisdiction. Fortunately for the Indians, the agent dispatched from Mexico City to determine the validity of Luzón's petition rejected it and, instead, arranged a new *composición* in 1713, confirming Indian land claims beyond minimal townsite plots. The investigation leading to this solution indicates the arguments used by the Indians to defend their land, as well as the

amount and quality of the land entitles by the 1713 *composición*. Following standard investigatory procedures, the agent (José Benito Semino) first collected testimony from local residents to determine the legal status of land sought by Luzón. Each of the seven witnesses questioned agreed that the Indian villages had held the land since 'time immemorial'. Moreover, they pointed out that the communities needed substantial quantities of land because floods during years of heavy rainfall severely reduced the availability of valley land. In addition, the witnesses informed Semino, that there were twenty-seven major villages in the region instead of only sixteen, as Luzón had erroneously claimed. At the same time, they noted that land rights of these villages excluded the areas already incorporated into the six existing Spanish landholdings within Metztlán jurisdiction.²⁹ On the other hand, the witnesses could offer little firm evidence of Indian land rights based on previous land titles. Five of the seven admitted knowledge of the 1695 *composición*, but unfortunately this document could not be presented as evidence because it had been given to a former *alcalde mayor* to use in an earlier land dispute and had never been returned to the Indian officials. Several witnesses also claimed that other titles had been issued in favor of the Indian villages, but these had all been lost, destroyed, or stolen.³⁰

After hearing this testimony, Semino denied Luzón's petition and instructed the Indians to apply for a new *composición* to correct their title deficiencies. The initial step involved a survey (*vista de ojos*) to determine the boundaries of the land claimed by Metztlán and its *sujetos* vis-à-vis surrounding Spanish properties and land belonging to neighboring Indian *cabaceras*. Upon completion of the survey, two competent members of the crew estimated that the established boundaries encompassed a gross area equivalent to approximately fourteen sites of *ganado mayor*, or 60,732 acres/24,579 hectares. However, the major portion of this total area was of little value. Only an area equivalent to two sites of *ganado menor* (3,856 acres/1,560 hectares) was located in sections of the Valley of Metztlán relatively free from the threat of recurring floods. This was the most valuable land, worth an estimated 2,000 *pesos*. An additional 22,172 acres (a little more than five sites of *ganado mayor*/8,973 ha.), usable for pastures and marginal farming, was worth only 400 *pesos*. The other eight sites of *ganado mayor* (37,704 acres/14,045 ha.), valued at 160 *pesos*, had virtually no economic utility since they were located in the mountainous terrain surrounding the Valley.³¹

The final step in Metztlán *composición* application involved payment of the administrative costs for the investigation, along with the settlement fee. Since the Indians were too poor to pay 3,000 *pesos* as Luzón had offered, Semino set the *composición* fee at 1,000 *pesos*. To this amount was added 1,500 *pesos* to cover the expenses of the investigation, bringing the total cost of the application to 2,500 *pesos*. An initial installment of 1,000 *pesos* was paid in May 1713, with the remaining 1,500 delivered in November of the same year. With the

payment completed, the *composición* was officially issued on November 29, 1713. But even before the final issuance of the *composición*, Luzón accepted the decision and formally withdrew his petition, claiming that he only had sought title to vacant land in the region, not land held legitimately by Indian communities.³²

The successful negotiation of a comprehensive *composición* by the Indian *cabecera* of Metztitlán was a noteworthy achievement. It has been suggested by Gibson that Spaniards with their superior financial resources could usually outbid Indian communities for *composiciones*.³³ Nevertheless, in this instance the Indians succeeded even though their *composición* fee of 1,000 *pesos* was only one-third of Luzón's offer. The fact that three current Spanish landowners in the area supported the Indians in their dispute with Luzón may have been a major factor in Metztitlán's success.³⁴ Surely the willingness of some Spanish landowners to concede that the Indian villages held land in addition to their townsites strengthened the Indian position. If motivated by other than concern for the justice of the Indian case, these Spaniards may have felt that Luzón's attempt to enlarge his landholdings threatened their own economic interests, either in terms of competition for Indian labor or as a impediment to their own possible acquisition of additional land.

The 1713 *composición* did not completely prevent further alienation of Indian land. As noted above, Don Antonio de Saucedo in 1718 gained title to 6,266 acres which became the basis for the *hacienda* of Jiliapa, located north of the Valley of Metztitlán. Saucedo acquired this area over the objections of the Indians by denouncing it as vacant land and paying a settlement fee of 150 *pesos*.³⁵ While there is no evidence that the Indians cited the 1713 *composición* to support their objections, they probably did, since the land involved fell within the general boundaries established by that instrument. Consequently, in this instance the *composición* failed to protect Indian land.

On the other hand, there is no evidence that any other party after Saucedo gained title to a comparable amount of land in the area of Metztitlán during the remainder of the colonial period. Land disputes between Indian villages and Spaniards continued, but the conflicts involved the location of boundaries separating extant Spanish landholdings from Indian land rather than the establishment of entirely new estates. Although these boundary disputes were potentially as great a threat to Indian land as new entitlements, available documentation suggests that the Indians often successfully defended their positions. During the middle decades of the eighteenth century (1744-1769) villages subject to the *cabecera* of Metztitlán became involved in four separate boundary disputes with Spanish *haciendas*. Citing the 1713 *composición* as a basic element in their defense, the Indians won clear decisions in two of these disputes, while in the other two, for which no final decision is known, the Indian cases were strong enough to prevent any immediate decisions in favor of the Spaniards.³⁶ On the

basis of this limited evidence, it may be suggested that the process of Spanish land acquisition moderated after 1718.

Assuming, then, that Saucedo's acquisition constituted the last major alienation of Indian land in the colonial period, we are left with a figure of 54,466 acres or about 22,000 hectares (amount of Indian land designated by 1713 *composición*, 60,732 acres, less Saucedo's 6,266 acres) as the total area retained by the Indians of Metztlán. In gross terms, this meant that the Indians held a slightly larger amount of land than the 40,000 to 50,000 acres estimated as the combined total for the seven eighteenth-century Spanish estates.³⁷ The crucial question, however, is whether the area retained by the Indians included sufficient amounts of agricultural land to meet the subsistence needs of the Indian population. To determine the subsistence potential of Indian land, the ratio between agricultural production and the Indian population must be examined.

In the area of Metztlán the best agricultural land is located in the valley itself. As indicated in the 1713 *composición*, the Indians controlled only 3,856 acres of flood-free valley land. Although the Indian villages did hold several thousand additional acres in the valley, that land could not be relied upon as a constant source of production since it often flooded. Limiting our focus to the 3,856 acres of land consistently under cultivation, we can calculate per capita maize yields from this area for the years 1753 and 1803. In 1753, an Indian population of approximately 7,614 meant a per capita acreage of 0.51 acres (3,856 acres/7,614 pop.), while a population of 12,624 in 1803 resulted in a per capita acreage of 0.31 acres (3,856 acres/12,624).³⁸ According to eighteenth-century observations, one acre of Valley land under optimum conditions yielded a minimum of approximately 45 *fanegas* of maize.³⁹ On the basis of these figures, per capita production can be calculated as 22.95 *fanegas* in 1753 (0.51 acre \times 45 *fanegas*) and 13.95 *fanegas* in 1803 (0.31 acres \times 45 *fanegas*). The validity of these per capita figures, however, is suspect, since the individuals who reported the yield ratio used to calculate the yield estimate of 45 *fanegas* per acre did so as advocates seeking authorization and funds from the colonial government to drain the lake of Metztlán. In such a context, they may have intentionally exaggerated the productivity of valley land in order to strengthen their petition for approval of the drainage project. Nevertheless, even if the actual maize yield per acre was only half that claimed by the project supporters, the reduced per capita amounts (1753: 11.48 *fanegas*; 1803: 6.98 *fanegas*) exceeded or fell within the 4 to 7.6 *fanegas* range which has been estimated as the minimum annual adult subsistence requirement.⁴⁰ Moreover, production on prime land was probably supplemented by some crops grown on the extensive areas of marginal land controlled by the Indians. Thus it can be postulated that Indian land resources were theoretically sufficient to meet the basic subsistence needs of the population.

Further proof of Indian land solvency is indirectly provided by evidence that relatively few Indians of the area became resident laborers (*gañanes*) on adjacent *haciendas*. In 1801 the subdelegate reported that out of a total tributary population for Metztlán and its *sujetos* of 3,497, only 232 tributaries (or about 6.63%) had abandoned their villages to assume permanent employment on Spanish estates as resident laborers. The percentage of permanent Indian laborers attached to *haciendas* surely would have been higher if Indian land resources had not been sufficient to meet the basic subsistence requirements of the majority of the Indian population.⁴¹

Although both per capita production figures and the extent of Indian involvement as laborers on Spanish landholdings point to the conclusion that the Indian villages within the *cabecera-sujeto* complex of Metztlán retained enough land to support their inhabitants, prime land was certainly not overabundant. This fact became painfully apparent during seasons when weather-related disasters reduced yields and destroyed crops. These disasters included occasional frosts and droughts, but, as noted, floods were the most common cause of crop destruction in the Valley of Metztlán. As a step toward flood control, Don Bernardo Miramón, subdelegate of Metztlán, in 1787 urged that a drainage system be constructed to lower the level of the lake at the northern end of the valley. He predicted that upon completion of the project, not only would the Indians have abundant valley land for their own needs, but the resulting agricultural surpluses would lower food prices in the mines of Pachuca and other regional markets. Unfortunately, even though the engineer assigned to determine the feasibility of the project enthusiastically endorsed Miramón's recommendation, the proposed construction was not initiated, or at least never completed, during the colonial period. After several abortive construction attempts in the 1870s, a partial solution to the problem of flooding was finally attained in the 1930s by the completion of a drainage tunnel that usually keeps the Lake of Metztlán below flood level. In the meantime, the margin between sufficient and deficient production from valley land must have remained narrow, with the achievement of a favorable balance in any given year dependent on the capricious role of recurring floods. Moreover, Indian population growth brought a progressive deterioration in per capita shares, and this process narrowed the agricultural subsistence base even under optimum growing conditions. During the latter decades of the eighteenth century, recurring disputes concerning equitable distribution of valley land to the Indians, coupled with demands that non-tributaries be rigorously excluded from land use, indicate that competition for prime land was becoming increasingly critical.⁴²

Despite the fluctuating supply of prime land and the threat to sufficient production inherent in the process of population growth, it is clear that the Indian villages of the *cabecera-sujeto* complex of Metztlán did not become landless entities during the colonial period. Metztlán's colonial land experience resembles the favorable Indian

land situation in the Valley of Oaxaca, as well as the Valley of Toluca, discussed by Wood in this volume, and the province of Cuernavaca, discussed by Haskett in this volume, in contrast to the widespread land poverty confronting Indian communities in northern Mexico. Many of the perceptive explanations Taylor formulates for successful Indian land retention in Oaxaca, Wood for Toluca and Haskett for Cuernavaca appear valid for the case of Metztlán: presence of established Indian communities with *de facto* claims to land; existence of a colonial system of justice which, despite an explicit bias in favor of Spaniards, provided Indian communities with legal means for adjudicating land grievances; Indian skill and tenacity in using available, legal recourses of defend land rights; and the realization by Spaniards, both official and private, that Indians needed land to fulfill tribute obligations and produce foodstuffs for regional and urban markets.⁴³

However, other elements contributed to the specific dynamics of Indian land retention in Metztlán. Among these was the threat of recurring floods in the valley. Without this geophysical problem, Spanish efforts to gain valley land might have been more intensive, resulting in a proportionately greater alienation of prime land than occurred. Furthermore, the predominance of communal land tenure among the Indian communities of this region may have favored land retention by facilitating corporate defense of Indian land, while limiting piecemeal alienation of individual holdings.

A more general explanation for land retention by the Indians of Metztlán may be related to the particular tempo and nature of Spanish land demands in this area during the colonial period. In the sixteenth century Spanish land activities primarily involved acquisition of limited amounts of land by regional *encomenderos*. Instead of seeking extensive landholdings, these *encomenderos* apparently continued to rely on their rights to Indian tribute as their major economic link with the region. Consequently, the Indian communities experienced an extended period of relatively little land pressure until the intensive period of Spanish land acquisition in the first decades of seventeenth century. This grace period may have served to strengthen Indian claims to land on the basis of prior possession by providing evidence that those rights could be traced not only to the pre-Hispanic era, but also to the initial colonial period.

As in other parts of central Mexico, it is probable that increased Spanish pressure for land in this region was related to the dynamics of Indian depopulation.⁴⁴ Regional markets, such as the Pachuca mines to the south and the Ixmiquilpan mines to the west, provided market outlets for the agricultural products of Metztlán.⁴⁵ Initially, Spaniards could participate in such trade by relying on Indian production, acquired through tribute or purchase, without engaging directly in agricultural activities themselves. But as Indian depopulation continued throughout the latter half of the sixteenth century, curtailing Indian production while simultaneously making land available for

distribution, Spaniards turned to direct land utilization to meet market demands which no longer could be adequately supplied by Indian agricultural activities.

While market pressures and Indian depopulation may have served as stimulants for increased Spanish land acquisition in Metztitlán at the beginning of the seventeenth century, perhaps a more direct factor was the specific ambition of Francisco de Quintana Dueñas, the husband of Doña Mariana de Mérida y Molina who had inherited land and *encomendero* status in the region from her grandfather, Alonso de Mérida. Quintana not only acquired several land grants of his own, but simultaneously purchased land grants issued to other Spaniards to gain possession of 15,930 acres out of a total of 29,154 acres granted between 1607 and 1615. Although no evidence has been found of prior collusion between Quintana and those who sold him their grants, the rapidity with which the transfers occurred, usually four to six weeks after issuance in obvious violation of the standard stipulations, suggest that Quintana may have used other Spaniards as proxies to gain more land than he could have expected to acquire through direct land grants.⁴⁶ In any event, it may be surmised that Quintana's marriage provided a motive for land consolidation in this region which other Spaniards lacked. Even without Quintana, land acquisition by Spaniards would have occurred, but the specific timing of major land alienation might have been altered.

After the early seventeenth century, the tempo of Spanish land acquisition moderated, with only an estimated seven to thirteen thousand acres brought under Spanish control during the remainder of the colonial period. This slowing down may in part be attributed to the fact that much of the best land in the region had already been alienated as a consequence of the burst of land acquisitions at the beginning of the seventeenth century. Thus Spaniards desirous of holding land in the vicinity of Metztitlán perhaps found it more advantageous to acquire already established properties instead of seeking entirely new grants, incorporating less productive land.⁴⁷ Available evidence on land transfers among Spaniards during the seventeenth and eighteenth centuries indicates that acquisition of land through such transfers occurred frequently. None of the seven known Spanish properties was an entailed estate, and in no known instance were any of these land units held for more than two generations by the same family. Instead, Spanish holdings regularly passed to unrelated individuals or religious orders through sales, bequests, or settlements of liens and mortgages. Of a total of 42 documented shifts in ownership between the beginning of the seventeenth century and the middle of the eighteenth century, 29 represented transfers to unrelated individuals (26 instances) or religious orders (3 instances), while only 13 transfers involved inheritance.⁴⁸

The very fluidity of Spanish land tenure in the area of Metztitlán may have contributed to Indian land retention. Frequent shifts in estate ownership meant that Indian communities of the region periodi-

cally had to identify the boundaries separating their holdings from adjacent Spanish properties. Land disputes often occurred in the course of this process, with Indian villages claiming that new owners were attempting to encroach in Indian land in blatant disregard for Indian land rights recognized by previous owners. Although the Indians did not always win these disputes, they succeeded frequently enough to reinforce the idea that litigation could serve as a viable weapon for land protection. If Spanish estates had remained in the hands of single families over extended periods, encroachment on Indian land by these properties might have occurred so subtly as to escape easy detection. However, recurrent shifts in ownership, accompanied by the attendant processes of title legitimization and delineation of boundaries, must have made illicit Spanish attempts to expand their landholdings readily apparent to the Indians. To the extent that this awareness stimulated the Indian communities to defend their land rights more persistently and aggressively, it may be postulated that instability of Spanish ownership contributed to Metztlán's retention of land during the colonial centuries.

Another aspect of land concerns in Metztlán involved the issue of internal use of land by the *vecinos* of the community. During the late eighteenth century tension developed among the Indians over the size and quality of land parcels they controlled within the valley. Some Indians claimed that 'rich' Indians controlled disproportionate shares of the most fertile land. They argued that this should be corrected and colonial authorities responded by instructing local officials to make annual assignments of land on a rotational basis in order to correct inequities in both the size and quality of agricultural parcels used by the Indians.⁴⁹

The colonial land histories of Metztlán and other valleys in New Spain indicate that the Indians more successfully defended their land against Spanish absorption than previously thought. As areas of uniformly dense Indian populations, subsisting primarily on sedentary agriculture, several highland valleys, including Metztlán, had long established traditions of comprehensive land utilization. Although these traditions were weakened by extensive Indian depopulation during the initial century of contact, Indian communities in these areas generally retained sufficient population nuclei to demonstrate their continuing land needs, and, thereby, gain official recognition of at least a portion of their historic land rights. But, environmental and population conditions, of course, do not exhaust the range of possible factors which determined regional variations in Indian-Spanish competition for land. As suggested by this examples of Metztlán, the role of other variables, such as the proximity of regions to colonial authorities who might protect Indian land claims, degree of integration of particular areas into the colonial economy, intensity of land competition among Spaniards, instability of Spanish land ownership, the timing and tempo of Spanish land acquisition, and the tenacity of the Indians in defense of their land interests, merit careful considera-

tion in any systematic explanation of the dynamics of Indian land retention in New Spain. However, such a comprehensive analysis, along with the delineation of the range of colonial land patterns, must await the results of additional regional studies on land distribution throughout the colony.

ENDNOTES

1. François Chevalier, *La formations des grands domaines au Mexique, Terre et société aux XVIe-XVIIe siècles* (Paris, 1952), 290, 405. Other studies which deal with colonial land distribution tended to reinforce Chevalier's formulation at that time. For example, Charles Gibson's study of the Valley of Mexico indicates extensive alienation of Indian to Spaniards. See his, *The Aztecs under Spanish Rule. A History of the Indians of the Valley of Mexico, 1519-1810* (Stanford, 1964), 277-278.
2. William B. Taylor, *Landlord and Peasant in Colonial Oaxaca* (Stanford, 1972), Chapter III, and pp. 195-196. For other titles see the preceding essays.
3. Taylor, *Landlord and Peasant*, 200-201.
4. Diego Durán, *Historia de las Indias de Nueva-España y las islas de Tierra Firme* (2 vols. and atlas, Mexico City, 1867-1880), I, 312-314, 334-336, 351-353, 426-432. *Real ordenanza para el establecimiento é instrucción de intendentes de ejército y provincia en el reino de la Nueva-España* (Madrid, 1786), fols. 98v-99r. Sara Cantú Treviño, "La vega de Metztlán en el Estado de Hidalgo," in *Boletín de la Sociedad Mexicana de Geografía y Estadística*, 75 (1953), 112-121.
5. Cantú, "Vega de Metztlán," 9.
6. Jorge I. Tamayo, *Geografía general de México* (2 vols. and atlas, Mexico City, 1949), II, 109, 187-188. In the absence of this obstruction the geographic configuration of the era probably would have been that of a canyon or *barranca*, unsuited for intensive farming.
7. Antonio Ríos López and Pablo Bistrain, "Exploración de la Vega de Metztlán, Hgo.," in *Ingeniera hidráulica en México*, 12 (1958), 21-23.
8. Gabriel de Chávez, "Relación de la Provincia de Metztlán (*sic*)," dated 1579, in *Colección de documentos inéditos, relativos al descubrimiento, conquista y organización de las antiguas posesiones españolas de América y Oceanía* (42 vols., Madrid, 1864-1884), IV, 544-545.
9. *Papeles de Nueva España*, Francisco del Paso y Troncoso, ed. (9 vols., Madrid and Mexico City, 1905-1948), I, 146-147. Archivo General de la Nación, Mexico City (hereafter cited as AGN), Tierras, vol. 1485, exp. 1, f. 135; Tierras, vol. 2254, exp. 1, f. 19r. These figures, based on civil documents, must denote principal *sujetos* since ecclesiastical documents indicate almost twice as many residential locations; see *Papeles*, III, 103-108, and parish baptismal records for the seventeenth and eighteenth centuries. The reduction of the number of *sujetos* between the sixteenth and eighteenth centuries resulted from the elevation of some of Metztlán's *sujetos* to *cabecera* status by the latter century; on a similar process in the province of Tlapa, see Dehouve's essay in this volume.
10. Chávez, "Relación de Metztlán," 551. *Epistolario de Nueva España*, Francisco del Paso y Troncoso, ed. (16 vols., Mexico City, 1939-1942), XVI, 58-59. On the well documented preeminent position of communal land tenure, see AGN, Tierras, vol. 2254, exp. 3; Tierras, vol. 1680, exp. 2; Tierras, vol. 2820, exp. 13; Tierras, vol. 1677, exp. 4; Tierras, vol. 2253, exp. 4. On private landownership, see AGN, Ramo de Indios, vol. 2, exp. 1002, f. 23v; Ramo de Tributos, vol. 22, exp. 8, fs. 13v-16v. On former *cacicazgo* rights, see the report of Friar Nicolás de San Vicente Paulo, 1554, stating that the former *señor* of Metztlán had been reduced to the status of a commoner and forced to cultivate his own crops; *Epistolario*, XVI, 58.

11. Gibson, *Aztecs*, 276. *Estancia* grants conveyed only usufruct land privileges while *caballería* grants authorized actual land possession. Such distinctions were gradually discarded. For a discussion of these changes, see Chevalier, *Formation des grands domaines*, 346.

12. AGN, Mercedes, vol. 2, fs. 146r-147v. AGN, Tierras, vol. 1806, exp. 10, f. 55v. AGN, Ramo de Tributos, vol. 22, exp. 8, f. 17r.

13. See Lesley B. Simpson, *Exploitation of Land in Central Mexico* (Berkeley and Los Angeles, 1952), 6-7, for a discussion of *lacunae* in land grant records.

14. AGN, Mercedes, vol. 25, f. 427v; Mercedes, vol. 26, fs. 31r-v, 192r-193v, 201v-202r; Mercedes, vol. 30, fs. 117r-118r; Tierras, vol. 1485, exp. 1, fs. 36r-39v; Tierras, vol. 2758, exp. 4, f. 83r-v; Ramo de Tributos, vol. 22, exp. 8, f. 8r.

15. AGN, Ramo de Tributos, vol. 22, exp. 8, fs. 13v-16v. Quintana's purchase of Indian land represented only a minor aspect of his general effort to consolidate extensive land-holdings in the area of Metztlán at the beginning of the seventeenth century. In 1601 he bought the 210-acre parcel owned by the heirs of Andrés de Barrios. Then in 1607-1609 he not only acquired several land grants of his own, but he also purchased the areas granted to Velasco and Oñate. Consequently, Quintana by 1609 held title to at least 16,770 acres (about 7,000 hectares), distributed among three properties: Almolón -1,260 acres- Potrero de Camacho -210 acres- and Tuzanapa -15,300 acres. Quintana's effort to gain land may have been related to his status as the husband of Doña Mariana de Mérida y Molina, grand-daughter of Alonso de Mérida and last member of that family to enjoy *encomendero* privileges to Indians within Metztlán's jurisdiction. If through this marriage Quintana acquired rights to land originally granted to Alonso de Mérida in 1543, his seventeenth-century land acquisitions can be understood as attempts to expand the holdings inherited by his wife. However, Quintana's land consolidation did not remain intact after his death. In 1620, his widow sold the largest of the three units, Tuzanapa, and her heir lost the other two properties by the middle of the seventeenth century as a result of indebtedness; AGN, Tierras, vol. 1613, exp. 1, fs. 36v-37r; Ramo de Tributos, vol. 22, exp. 8, f. 16r.

16. AGN, Tierras, vol. 1561, exp. 3, 2nd part, fs. 6r-15v. AGN, Mercedes, vol. 71, fs. 107r-v; Tierras, vol. 2744, exp. 3, fs. 17v-18r. The entitlement was for one site of *ganado mayor* and one of *ganado menor*.

17. AGN, Tierras, vol. 1806, exp. 10, f. 55v; Tierras, vol. 2758, exp. 4, fs. 83r-v; Tierras, vol. 1613, exp. 1, fs. 47r-50v; Tierras, vol. 2256, exp. 1, f. 82v.

18. Almolón, 1,680 acres; Potrero de Camacho, 210 acres; Guadalupe, 8,676 acres; Tuzanapa, 15,615 acres; Huijastla, 4,548 acres; and Jiliapa, 6,266 acres = 36,995 acres, or about 15,000 hectares.

19. Chávez, "Relación de Metztlán," 548. AGN, Civil, vol. 1624, exp. 1, fs. 23r-24r. See footnote 39 for basis used to calculate the maize yield. The estimate of the distance to the mining region is based on a measure along the modern road connecting Pachuca and Metztlán. AGN, Civil, vol. 1624, exp. 1, f. 11r. AGN, Ramo de Tributos, vol. 22, exp. 8, f. 16r; Tierras, vol. 2963, exp. 73, f. 1r; Tierras, vol. 1561, exp. 3, 2nd part, f. 3v; Tierras, vol. 961, exp. 1, f. 129v; Tierras, vol. 1676, exp. 1, f. 26r-v. For a summary of the Conde's efforts to revive the *Real del Monte* mines, see Bernard E. Bobb, *The Viceroyalty of Antonio María Bucareli in New Spain, 1771-1779* (Austin, 1962), 177-179.

20. *Fuentes para la historia del trabajo en Nueva España*, Silvio A. Zavala and María Castelo, eds. (8 vols., Mexico City, 1939-1946), VI, 117-120; VIII, 17-22. AGN, Ramo de Indios, vol. 30, f. 304.

21. Cantú, "Vega de Metztlán," 11. AGN, Tierras, vol. 2758, exp. 4, f. 28r. AGN, Tierras, vol. 2414, exp. 3, f. 184; Tierras, vol. 2820, exp. 4, fs. 52r-58v; Ramo de Tributos, vol. 22, exp. 5, fs. 6r-10v.

22. *Epistolario*, VII, 117. In 1563 the Indian population was 27,020 [based on 9,650 tributaries multiplied by a conversion factor of 2.8 formulated by Woodrow Borah and Sherburne F. Cook, *The Population of Central Mexico in 1548* (Berkeley and Los Angeles, 1960), 102], but by 1623 it had declined to 14,892 [5,280 tributaries x 2.8]. See, "Lista de

- los pueblos de indios encomendados en personas particulares," ca. 1563, in *Relación de los obispos de Tlaxcala, Michoacán, Oaxaca y otros lugares en el siglo XVI. Documentos históricos de Méjico*, Luis García Pimental, ed. (Mexico City, Paris, Madrid, 1904), 168-169. *Moderación de doctrinas de la real corona administradas por las órdenes mendicantes 1623*, France V. Scholes and Eleanor B. Adams, eds. (Mexico City, 1959), 65. On the land sales to Quintana, AGN, Ramo de Tributos, vol. 22, exp. 8, fs. 12v-16v.
23. AGN, Ramo de Indios, vol. 10, part 3, exp. 12, fs. 6r-7v. According to Howard F. Cline, "Civil Congregations of the Indians in New Spain, 1598-1606," in *Hispanic American Historical Review*, 29 (1949), 349-369, the legitimate purpose of resettlement was to bring isolated Indians into closer proximity with ecclesiastical and civil authorities in order to provide more effective religious instruction and efficient administration.
24. *Recopilación de leyes de los reynos de las Indias* (Ed. Facs. 1791, 3 vols., Madrid, 1943), II, Libro IV, Tit. 12, Leyes 15, 17, 19, 20, 21. Chevalier, *Formation des grands domaines*, 348-363; and the essays of García Martínez, Torales Pacheco, Wood and Haskett in this volume.
25. AGN, Tierras, vol. 1561, exp. 3, 2nd part. For the confirmation by the Viceroy in 1639, see "Títulos de las tierras y aguas que son de los naturales del pueblo de Metztlitlán en la Nueva España, año 1765," 4 fols. A photographed copy of this document was graciously provided by Señor Mariano Franco, a former resident and teacher in Metztlitlán who now lives in Mexico City. The grant of 1662 in AGN, Tierras, vol. 1486, exp. 1, f. 7r. The *composición* of 1695 is AGN, Tierras, vol. 1485, exp. 1, fs. 135r-138v; and last fol. in this volume, bound out of order, for the decision of the *Audiencia*.
26. AGN, Tierras, vol. 1804, exp. 4, fs. 2v-3r, 13r-16v; Tierras, vol. 1806, exp. 10, f. 62r. On fraudulent land maps, see Haskett's essay on the *Títulos Primordiales* in this volume.
27. Gibson, *Astecs*, 285-287, 292-293. A *vara* is equivalent to approximately 0.92 yards or 84 centimeters.
28. AGN, Tierras, vol. 1561, exp. 3, 2nd part, fs. 3r-5r.
29. AGN, Tierras, vol. 1561, exp. 3, 2nd part, fs. 6r-15v.
30. AGN, Tierras, vol. 1561, exp. 3, 2nd part, f. 10r.
31. AGN, Tierras, vol. 1561, exp. 3, 2nd part, fs. 21v-22r.
32. AGN, Tierras, vol. 1561, exp. 3, 2nd part, fs. 22v, 29r-v, 30r-32r.
33. Gibson, *Astecs*, 288, 294.
34. AGN, Tierras, vol. 1561, exp. 3, 2nd part, fs. 11v-13v.
35. For sources, see footnote 16.
36. For the two favorable decisions see AGN, Tierras, vol. 2259, exp. 1, f. 22r, exp. 2, fs. 55r-68v, exp. 3, fs. 70v, 96v; Tierras, vol. 2759, exp. 3, fs. 132r-134v, exp. 4, fs. 51r-53r; Tierras, vol. 2758, exp. 4, fs. 83r-v, 140r-v, 147r-148r. For the two undecided cases see AGN, Tierras, vol. 1676, exp. 1, fs. 26r-v, 27r-38r, 98v-99v; Tierras, vol. 1613, exp. 1, fs. 306r-307v, 310r-312v, 385r-388r.
37. See pages 146 and 148.
38. 1753: AGN, Tierras, vol. 1615, exp. 4, f. 15r. 1803: Archivo Histórico de Hacienda, Mexico City (hereafter AHH), leg. 468, exps. 1, 2. These population totals are derived by multiplying the number of tributaries in each of these years (1753: 2109 tributaries; 1803: 3497 tributaries) by 3.61, which Cook and Borah calculate as the approximate ratio of population to tributaries at the end of the eighteenth century. See their study, *The Population of the Mixteca Alta, 1520-1960* (Berkeley and Los Angeles, 1968), 44-47.
39. In 1787 several residents of the valley testified that in good years one *fanega* of maize planted yielded between 400 to 600 *fanegas*, see AGN, Civil, vol. 1614, exp. 1, fs. 2r, 23r-24r. Assuming that the area seeded by 1 *fanega* was the standard 8.8 acres, we can calculate minimum per acre yield as follows: $400 \text{ fanegas} / 8.8 \text{ acres} = 45.45 \text{ fanegas}$ yielded per acre, see Gibson, *Astecs*, 309-310, for a discussion of 8.8 acres as the standard area commonly seeded by 1 *fanega*, along with estimates of maize yields in the Valley of Mexico. Although the 1 to 400 ratio for Metztlitlán is much higher than the 70-125 *fanega* yield estimate he found used for official property evaluations in the late eighteenth century, it

is equivalent to, or lower than, several specific examples of maize yields in the Valley of Mexico.

40. Gibson, *Aztecs*, 311. Woodrow Borah and Sherburne F. Cook, *The Aboriginal Population of Central Mexico on the Eve of the Spanish Conquest* (Berkeley and Los Angeles, 1963), 90.

41. AHH, leg. 391, exp. 2; leg. 468, exps. 1, 2. Data on the number of Indians who sought only seasonal employment on Spanish estates are incomplete, but in one instance 78 Indians worked for a single *hacienda* over a three-year period (1764-1767), with each Indian averaging 57 days of employment, see AGN, Tierras, vol. 961, exp. 1, fs. 47, 107r-116v.

42. AGN, Civil, vol. 1624, exp. 1, fs. 1r-7r, 37r-47r, 52r-58v. Cantú, "Vega de Metztlán," 169-171. AGN, Tierras, vol. 1561, exp. 3; Tierras, vol. 1677, exp. 4; Tierras, vol. 1680, exp. 2; Tierras, vol. 2254, exps. 2, 3; Tierras, vol. 2820, exp. 13.

43. Taylor, *Landlord and Peasant*, 107-110.

44. See Gibson, *Aztecs*, 272, for a discussion of the relationship between Spanish land acquisition and Indian depopulation in the Valley of Mexico.

45. *Epistolario*, VII, 124. AGN, Ramo de Tributos, vol. 22, exp. 6, fs. 9v-10r.

46. Of Quintana's total (15,930 acres) only 4,968 acres came from direct land grants while the remainder, 10,962 acres, consisted of grants purchased by Quintana from other recipients, see AGN, Ramo de Tributos, vol. 22, exp. 8, fs. 6v-8r; Tierras, vol. 1481, exp. 1, fs. 31v-33r. As indicated in footnote 15, Quintana acquired a total of 16,770 acres, but the additional acreage (840 acres) was gained through purchases of Indian land and small Spanish properties already in existence before the land grants of the early seventeenth century.

47. If this assessment is valid, the situation in Metztlán would appear similar to the Puangue Valley in central Chile, where most of the land had been distributed by 1621, with subsequent land activities characterized primarily by shifts in ownership of extant properties rather than by the acquisition of Indian or unclaimed lands. See, Jean Borde and Mario Góngora, *Evolución de la propiedad rural en el Valle de Puangue* (Santiago de Chile, 1956), 47-48.

48. AGN, Ramo de Tributos, vol. 22, exp. 8; Tierras, vol. 1518, exp. 18; Tierras, vol. 1561, exp. 3; Tierras, vol. 1613, exp. 1; Tierras, vol. 1676, exp. 1; Tierras, vol. 1776, exp. 1; Tierras, vol. 1806, exp. 10; Tierras, vol. 1815, exp. 11; Tierras, vol. 2254, exp. 8; Tierras, vol. 2255, exps. 3, 5; Tierras, vol. 2256, exp. 1; Tierras, vol. 2758, exp. 4; Mercedes, vol. 71, f. 107.

49. These issues are discussed in my article, "Land Utilization in Late Eighteenth-Century Metztlán," in *Revista Encuentro*, 17 (1987), in press (the Colegio de Jalisco).

The 'Secession' of Villages in the Jurisdiction of Tlapa (EIGHTEENTH CENTURY)

DANIÈLE DEHOUE
*Laboratoire d'Ethnologie et
de Sociologie Comparative,
Université de Paris X*

INTRODUCTION*

The 'agrarian community', with its institutions and territory, is usually regarded by anthropologists and most historians as the typical form of social organization of the present indigenous population of Mexico, Central America and the Andean countries, a form derived from the colonial period. However, on studying the Mexican past, one encounters no such community, but rather distinct units bearing various names: *pueblo*, *estancia*, *partido*, *cabecera*, *barrio*, *sujeto*, *república*, or *común*. Besides, those units have undergone continual changes, because as a result of the 'secession'-of-village-trend that prevailed between the seventeenth and nineteenth centuries in many parts of New Spain the subject villages became independent from the headtowns. This process of political and economic separation of smaller villages contradicts the commonly held though erroneous view of a stable indigenous village. In this chapter, I will attempt to describe it, bringing to light along the way the constitution of the late colonial community in the *alcaldía mayor/subdelegación* of Tlapa, now part of the modern state of Guerrero.

A few figures will show how late the phenomenon occurred in Tlapa, and how notorious it was. But first of all, I wish to point out that the *alcaldía mayor* of that name was composed of two distinct parts:

1. To the North of Tlapa, the headtowns of Huamustitlan and Olinalá (from whom the villages of Cualac and Xochihuehuetlan seceded) extended their jurisdiction over the ancient Az-

* A Spanish version of this essay, "Las separaciones de pueblos en la región de Tlapa (Siglo XVIII)," was published in *Historia Mexicana*, 33:4 (1984), 379-404.

- tec province of Quiauteopan. Located in the depression of the river Balsas, its land was dry where out of the river's reach. In the more favoured irrigated zones maize and cotton were grown and from the eighteenth century also sugarcane.
2. In the surroundings and to the South of Tlapa stretched a zone more strictly controlled by the town, which coincided first with the ancient Aztec province of Tlapa and later with the *encomienda* of that name. The configuration of the towns' surroundings is typical of the depression of the river Balsas, but further South it rises towards the heights of the *Sierra Madre del Sur* which are called today *La Montaña*, then goes down again to the Pacific coast. The mountainous relief limits the extension of irrigated land, and in 1743 Tlapa's *alcalde mayor* complained that "*there were no plains left except in the valley of Huamustitlán (...) all the rest were most uneven, with a lot of high mountains and deep chasms, so that it did not bear much fruit and most of the years they suffered hunger.*"¹ The Indians grew spring corn and fruit-trees. They also had various handicraft among which the spinning of cotton for the domestic market of New Spain was the most famous. In the rare irrigated lands they cultivated first cotton and cocoa, then rice or sugarcane. Today the area is inhabited by peasants who speak one of three indigenous languages: Nahuatl, Mixtec and Tlapanec.

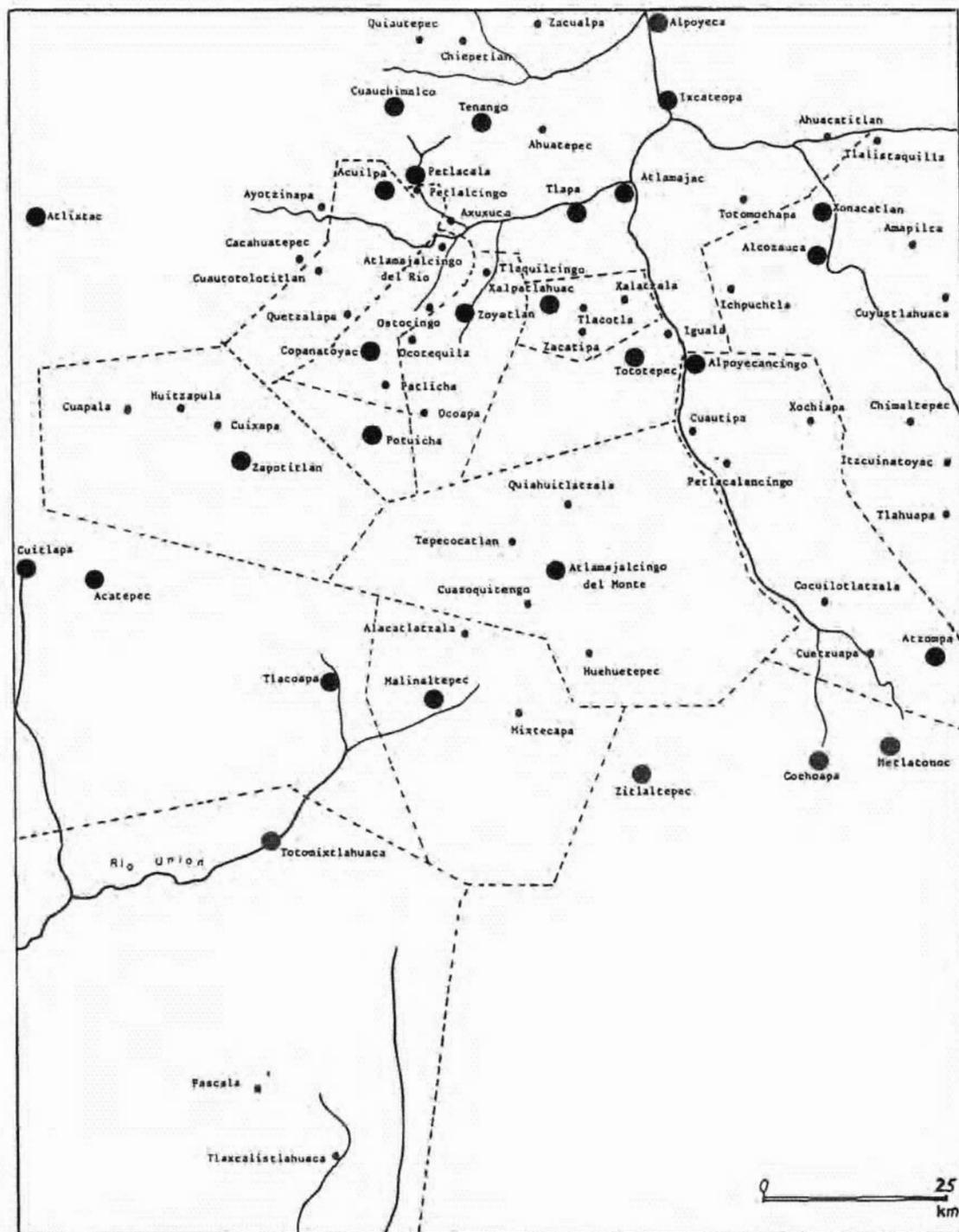
The latter part of the *alcaldía mayor* of Tlapa was the most affected by the 'secessions' of villages, so what I mean by 'Tlapa' in the following discussion is this part of the jurisdiction. Olinalá and Huamuxtitlan will be left aside.

In 1570, the headtown of Tlapa controlled six subject villages; all together they owned 111 farms.² At that time the Augustinians noted:³

"This community gives too much work to the ministers, being distributed into 130 villages, with all the land most mountainous, and so stretched out that one of the villages is 34 leagues away from the headtown. They have to walk more than eighty leagues to take a whole tour of the area."

Two centuries later, in 1767, Tlapa's *alcalde mayor* wrote that the headtown had still "*seventy subject villages and numbered, according to the records, 4200 tributaries,*"⁴ which was more than half of the number of tributaries of the whole *alcaldía mayor*. However, only thirty years later, this vast jurisdiction had totally disintegrated and most of the subject villages had attained the rank of *pueblo cabecera* -headtown (see Maps III and IV). At the beginning of the nineteenth century, the word 'headtown' referred to no more than an isolated village or a village with at most three subjects.

MAP IV. THE FORMATION OF NEW HEADTOWNS IN TLAPA
BETWEEN 1720 AND 1770



Understanding this process is essential to an explanation of what the anthropologists name 'the indigenous community': what were the internal contradictions that resolved themselves in the 'secessions' of villages, and what were the changes in the *cabeceras*' social organization after these divisions?

THE FRAGMENTATION OF THE ANCIENT HEADTOWNS

As stated above, the process undergone by the Indian communities was the division of extensive jurisdictions set up after the Conquest. It should be noted that this process did not alter the communities uniformly, but that it affected them in various ways under three aspects: politico-administrative, ecclesiastical and agrarian. The same village could actually belong to three different categories. It could be, for instance, an administrative subject and at the same time a *cabecera de curato*, and it might or might not own its land. For this reason, the fragmenting affected villages, parishes and territory.

The 'Secession' of Villages

The division into *cabeceras de república* suffered few changes between the end of the sixteenth century and the beginning of the eighteenth. Tlapa was at that time the main headtown. One of its subject *cabeceras* was Caltitlan, which enjoyed an autonomous government, though it was just *barrio* (ward) of the town of Tlapa. Tlapa and Caltitlan shared between them most of the subject villages located in the highlands of the mountain and on the Pacific versant. Tlapa's other subject *cabeceras* divided among themselves small domains numbering less than ten subject villages: Atlixtec and Cuitlapa (today's Teocuitlapa) to the West of Tlapa, Tenango to the North, Totomixtlahuaca in the heart of the Mountain, and San Luis Acatlan de la Costa on the Pacific side (see Map III).

The question of the two headtowns Tlapa and Caltitlan is of major interest. These controlled from the same place the mountain communities which belonged to three parishes at the end of the eighteenth century: Atlamajalcingo del Monte, Metlatonoc and Zoyatlan. Between 1570 and 1743 they experienced a demographic explosion all the more extraordinary as, over the same period, the rest of the population in the jurisdiction declined or remained constant. In the headtowns of Atlixtec, Cuitlapa and Totomixtlahuaca, the population stagnated, while the villages surrounding Tlapa (such as Tenango) lost half of their inhabitants.⁵ Doubtless for this reason village 'secessions' were more conspicuous in Tlapa and Caltitlan, which controlled the growing population of *La Montaña*, than it was in smaller sized headtowns whose population was stationary or decreasing. This was even more so after Caltitlan and its subjects had been absorbed by Tlapa between 1716 and 1740.

The first requests for 'secession' were filed around 1720. The Crown's response remained strict until 1750. Every request was followed by an enquiry. Most of the time, the Crown favoured the *status quo* and required that past usage should be investigated and conformed to. However, Tlacoapa was granted 'secession' from Totomixtlahuaca, and Ixcateopa from Tlapa. Still, Alcozauca, whose first request dated from 1721, had to wait until 1754, after witnesses were heard and the vicar and the *alcalde mayor's* lieutenant had given their assent. To the North of Tlapa, in 1726, the three villages Comitlipa, Tepetlapa and Xihuitlipan discontinued their services to the *cabecera* Xochihuehuetlan.

The Crowns' representatives changed their policy regarding 'secessions' in the middle of the eighteenth century. In 1767, the *Real Contaduria* ordered that Tlapa's subject villages set up their own governments in order to facilitate the collection of tributes. At that point the chief concern of the Crown was this: a single governor residing in the headtown of Tlapa collected taxes from over 4,200 tributaries living in seventy villages, who paid more than 8,000 *pesos* annually. Since this governor "*usually owned little more than a straw hut and a couple of oxen and maybe two mules: should he happen (as had occurred in the past) to misuse the tribute money in his hands, how could the Royal Finances possibly recover such a large sum?*"

The villages could choose between two procedures: the setting up of a new town-government, or by asking for confirmation of an already existing, but not yet legalized, government. It turned out the same, actually, as their requests were easily granted. These indicated that the village had "*a very decent church,*" "*decently adorned,*" with "*the Blessed Sacrament placed in a very good ostensory,*" and "*provided with a font.*" The temple's dimensions were specified as well as the holy images it should contain. Such a village also possessed a "*community house*" and "*communal property,*" although they were so poor in these mountains that those were limited to a few herds of no more than 40 goats, three or four cows and usually a maize field. Its annual crop was used during the Synodal feasts. Therefore, the possession of communal land was often emphasized in the texts. Finally, starting from 1770, they also mentioned that the villagers "*did their best to learn the Christian doctrine and prayers in Spanish,*" implying the retribution of a schoolmaster.

As early as 1768, Tlapa only had two subject villages left (see Map IV). In small groups of subjects gathered around a *cabecera*, the following seventy villages had separated from Tlapa:

Tlacoapa (1722)
150 tributaries

[in 1743, it was to number 264 of them including Tenamazapa and Tetistac (23 and 19 tributaries)];

Alcozauca (1754) 7 subject villages	[Tlalistaquilla, Itzcuinatoyac, Chimaltepec, Ichpuchtla, Coyoxtlahuaca, Xonacatlan and Amapilca (with 314½ tributaries)];
Alpoyecancingo (1765) 5 subject villages	[Atzompa, Huechuapan, Cocuilotlatala, Xochiapa and Cuautipan];
Zoyatlán (1767) 3 subject villages	[Tlaquilcingo, Ocoapa and Ocotequila (with 250 tributaries)];
Xalpatlahuac (1768) 3 subject villages	[Tlaquetzalapa, Cuautotlotitlan, Petlalingo (with 230 tributaries)];
Copanatoyac (1768) 3 subject villages	[Patlichá, Ostocingo, Atlamajcingo del Rio (with over 300 tributaries)].

To this list should be added Atlamajcingo del Monte which, along with several subjects, was probably granted 'secession' earlier than 1767. It also happened that isolated villages requested their autonomy: Alpyeca had refused since 1726 to recognize Ixcateopa's sovereignty; Potuicha, with 130 tributaries, became independent in 1767.

Among the villages (*pueblos de indios*) made autonomous by the decree of 1767 several had no subjects; others were mere '*barrios*'.⁶ Alpoyecantzinco (with 140 tributaries), Atzompa (116 tributaries), Zitlaltepec (117 tributaries), Tototepec (204 tributaries), Malinaltepec (100 tributaries) included three *barrios* Alacatlatala (125 tributaries), Mixtecapa and Moyotepec (132 tributaries), Zapotitlán (38 tributaries) included two *barrios* Cuixapa (38 tributaries) and Huitzapula (32 tributaries), Metlatonoc (162 tributaries) included three *barrios* Cochoapa, Cocuilotlatala and, Santa María (210 tributaries), Atlixlac (66 tributaries), Cochoapa (170 tributaries) with one *barrio* Calpanapa (47 tributaries), Hueycantenango (72 tributaries), Acatepec (59 tributaries), Teocuitlapa (41 tributaries). Thereafter, a second wave of divisions took place affecting the headtowns that had formerly seceded from Tlapa. At the beginning of the nineteenth century, Xochiapa, for instance, after being first incorporated into Alpoyecantzingo, then subjected to Metlatonoc, seceded from the latter with only 47 tributaries. Having no land of their own did not prevent the villages from claiming their autonomy, like Xonacatlan which obtained a legal tenement after separating from Alcozauca in 1799.

The policy then applied by the *subdelegado* (who replaced the *alcalde mayor* in the jurisdiction of Tlapa) was clearly against the gathering of small villages under one *cabecera*: "The governors (...) divided and distributed unclaimed building grounds, settled disputes when the Indians would not go to the Spanish judge; they selected and appointed whoever they pleased for minor charges (...) and in some villages, they even made testaments and distributed the property (...) left by the deceased." More important still, "in the case of an Indian rebellion, it was easier to pacify one village than several. Villages almost never joined forces, except when they shared the same governor

or the same leaders; on the contrary, the neighbouring villages were likely to be the most helpful in containing the rebellion." In other words, the Crown's concern was no longer to find a satisfactory fiscal policy as it had been thirty years before. From now on, the 'secession' of villages was aimed at restraining the power of the Indian government by dividing it. As these politico-administrative divisions were occurring other splits were observed at the Church level.

The Divisions of Parishes

At the start of the seventeenth century, when Bishop de la Mota y Escobar visited the area, the Augustinians held four convents (at Tlapa, Atlixnac, Totomixtlahuaca and Alcozauca) -the first three being also headtowns- and the secular clergy had the parishes of San Luis Acatlan de la Costa, Olinalá and Huamuxtitlan. In 1680, the Augustinians built a last convent at Atlamajalcingo del Monte. But it was not until the eighteenth century that, following a process similar to the 'secession' of villages, the parishes also began to split. This development took place in a context marked by the takeover from the Augustin Friars by the secular clergy. Between 1720 and 1770, the former were replaced everywhere by vicars who settled in new parishes called *cabeceras de curato*: Xochihuehuetlan, Huamuxtitlan, Cualac and Olinala (to the North) were founded in a first stage; Chiepetlan and Ixcateopa (to the North), and Zoyatlan and Metlatonoc (in the *Montaña*) in a second one. The effect of this trend, in addition to the village 'secessions', was to reduce the number of villages under the jurisdiction of a *cabecera (de curato or república)*, thereby restraining the local influence and power of the old villages. This process was accompanied by a search for increased land autonomy.

The Separation of Lands

At the very beginning of the eighteenth century when the land properties in the jurisdiction were recorded, the title of village (*pueblo de indios*) did not automatically imply land ownership. Two sorts of villages were without any land:

- a) Landrenting villages (*pueblos arrendatarios*), which rented patches of land every year from the same neighbouring village. In 1712, there were seven of them:

<u>pueblo</u>	- <u>arrendatario de/renting from:</u>
Zacatipa	- Xalpatlahuac
Cuauchimalco	- Petlacala
Tlatlauquitepec	- Atlixnac
Cuapala	- Huitzapula
Cuixapa	- Zapotitlán
Petlancingo	- Acuilpa
San Miguelito	- Cochoapa

b) Subject villages (*pueblos sujetos* or *agregados*), which were incorporated into larger villages called *partidos* (districts). At least sixteen of them were in that case in 1712:

pueblos sujetos o agregados -> *pueblos partidos*

Tlaxcalistlahuaca)	-> Totomixtlahuaca
Pazcala		
Tenamazapa		
Tetistac		
Tlacoapa		
Zapotitlan)	-> Teocuitlapa
Huitzapula		
Acatepec		
Azoju)	-> San Luis Acatlan de la Costa
Zoyatlan		
Cuanacastitlan		
Ahuazacualpa		
Amapilca)	-> Alcozauca
Ahuacatitlan		
Tlahuapa)	-> Itzcuinatoyac
Chimaltepec		

Some 30 percent of the villages had no land of their own. Besides, the situation was further confused by the closeness of subject villages and landrenting ones; the *partido* village of Teocuitlapa, for instance, was comprised of six villages including the headtown and three subjects, two of which had one tenant each:

Teocuitlapa was headtown to:

(-	Acatepec;
	-	Zapotitlán which rented out land to Cuixapa;
	-	Huitzapula which rented out land to Cuapala.

The origin of tenant villages is hard to determine, since it probably dates back to an unknown pre-Hispanic or early colonial past; it is to be noted, however, that several of those renter-tenant couples had a pluri-ethnic character, Huitzapula was Tlapanec and Cuapala was Nahuatl, just like Zapotitlan and Cuixapa Zacatipa was Mixtec and Xalpatlahuac was Nahuatl.

On the other hand, it is easy to ascertain that agrarian headtowns (*partidos*) were former administrative headtowns (*pueblos cabeceras sujetos* of Tlapa), and that agrarian subjects (*agregados*) were former administrative subjects (*pueblos sujetos*), since all the applications for the assignment of land were filed by the headtown's governor who, as such, received the titles of property of all the subject villages. To use the same example again, when in 1648 the village of Zapotitlán requested the formal recognition of its property, its request was presented as follows by the headtown of Teocuitlapa on which it depended: "*We, the governor, alcaldes and other republic officers of the headtown of Teocuitlapa of the Tlapa district, appear before your Excellency to request the assignment of the land (...) that we own in a village named Santiago Zapotitlan.*"⁷ In 1709, a new document drafted on the same model (*título de composicion de la cabecera del pueblo de Teocuitlapa de San Luis y pueblos sujetos de Santiago Acatepec, Santiago Zapotitlan y San Pedro Huitzapula*) defined separately the limits of each of the subject villages. However it was kept by the Teocuitlapa representatives. This situation as described later as follows: "*Since the foundation of this village Teocuitlapa and of those of Acatepec, Zapotitlan and Huitzapula which were then its districts, they all together indiscriminately owned the land shown on the map (...), Teocuitlapa acting as their chief. In 1709, they appeared before the Judge of Land and Water (...) asking that the following grounds should be formally acknowledged as their own (...).*"

The same type of document may be found in the other minor headtowns (*partidos* or *cabeceras*) of the jurisdiction. San Luis Acatlan, for instance, had a "*decree dated February 17, 1710 in favor of the headtown San Luis Acatlan de la Costa and of those of Zoyatlan, Azoyu, Cuanacaxtitlan and Aguatzacualpa its subjects (...),*" stating that "*as far back as anyone could remember,*" they had held the land in common. One document dated 1798-1799 also mentioned the limits of the properties of Totomixtlahuaca, Tlacoapa, Pachcala, Tlascalitlahuaca and Tetystac in the same document drawn-up on behalf of the headtown (Totomixtlahuaca). On the other hand, the major headtowns of Tlapa and Caltitlan were probably prevented from doing the same by their very size. This might explain why all the agrarian documents of their former subjects are from a later date, from the middle of the eighteenth century, which was approximately the moment when they became *cabeceras*. The quest for agrarian autonomy soon followed the administrative autonomy: the conflicts that broke out after 1777, for example, between Teocuitlapa and its former subjects, which had become headtowns in 1767, show that the old community bonds no longer existed.

Towards the end of the eighteenth century the Crowns' representatives urged the landowning villages to donate some land to their former tenants. In this context, Huitzapala granted Cuapala the tenure of a piece of land in 1796: "*Since the barrio of Saint-Juan Cuapala had very little land other than the legal tenement of six hundred varas, it*

was graciously given some so that it might build its own temple, acknowledging, however, its debt to the village of Huizchilin Pilin San Pedro Huitzapula, for the land belonged to the latter." Similarly Xalpatlahuac, in 1793, granted Zacatipa the tenure of a few patches of land, although the Nahuatl text dictated by the Xalpatlahuac authorities shows mitigated goodwill:

"Axca ticchiuato Amatzin ypampa tepintzin tiquitlanetia se pensado tlalin Sacatipa tlaca yca tomahuiso yllaquihuelita yhua tlamoquihuelita, yehuatzin quimatin ypapan tohuaxca tlalin tlaque-ma yehuatzin pehuasque yca tlatoli yquac ynonnonchiatiquelquis-tisque totlal ypapan tohuaxca tlali santichiua sen caridad."

["We shall write a paper whereby we loan for a time a piece of land to Zacatipa if it will please them, and if not, too bad for them, since the land belongs to us and if they should start complaining we will take our land back, since it is ours and we are only doing it out of charity."] (translated by the author).

Nevertheless, in all cases, these "acts of charity" (in the Nahuatl text the Spanish word *caridad* was used) or "temporary loans" gradually became actual donations, and the assurances that the owners would forever retain their original rights were forgotten in course of time.

Yet not all communities agreed to these transactions, so that there were still villages in the *Montaña* that were totally deprived of land, such as Cuixapa, which depended entirely on Zapotitlan, or Alacatlazala whose inhabitants rented land every year from neighbouring communities. Such cases remind us of the fact that the agrarian community anthropologists are so fond of, i.e. the village which owns its land, is the result of the disintegration of older and larger units. It was not until the end of the eighteenth century that the Crowns' representatives undertook to provide each village with a tenement. They assigned land to the headtowns according to various procedures: either they legalized the lots for which they had previously obtained joint titles when they were mere subjects (like at Teocuitlapa), or they legalised those they had formerly cultivated (like for the subjects of the main *cabecera* of Tlapa), or they even assigned to them a legal tenement when, for any particular reason, they did not have any (like Xonacatlan located in the jurisdiction of a *cacicazgo*). In some cases they assigned tenures to subject villages which were not headtowns, when they rented land from neighbours.

Although this trend did not prevail everywhere, it was so strong and complementary to the village 'secession' process that at the start of the nineteenth century it could be said that almost every single village had its own government and its own land. The few subjects that had failed to become headtowns still had their agrarian autonomy. This could but have further reduced the *cabeceras'* influence, already limited by the 'secessions' of villages and parishes. However, the agrarian community at the end of the eighteenth century should not be characterized only by these factors, but also by its operation and internal contradictions. What motives induced villages to apply

for 'secession'? Did these evolve between the first splits which concerned over two hundred families and the latest which concerned only about forty? To answer these questions, it is necessary to go into the details of the social and political organization of the *pueblos de indios*.

THE INTERESTS INVOLVED: A CALCULATION OF THE WORKLOAD

The agrarian community of the late eighteenth century, which I would like to describe according to its internal relationships as a 'community of interests', was only made possible by the disappearance of the old relationships between the nobility and the peasants.

The End of the Forced Labour System

The first village 'secessions' did not occur until some major administrative reforms had been implemented. The headtowns had appeared at the end of the sixteenth century. The Indians had elected a *gobernador*, assisted by various civil officers, like *alcaldes*, *regidores*, or *escribanos*, and some church officers, like a *fiscal* and his assistants. The governor represented the highest native authority and was particular entitled to collect tribute. Subject villages had their own officials - various *alcaldes* including the most important *alcalde tlayacanqui*. They handed the tribute money collected from the heads of the village households over to the governor.

As early as the middle or the end of the sixteenth century the Indian *caciques*, made up of the former pre-Hispanic nobility, held the first governor charges. Gradually this political function became for them the best way to maintain their privileges. For instance, they imposed contributions in kind and in work on the Indian tributaries, no longer as an acknowledgment of their status as *cacique* or *señor natural*, but as 'officers of the Republic of Indians'. In the middle of the seventeenth century, the same *cacique* could hoard year after year nearly all the governor charges of the Tlapa jurisdiction. For example in 1664 was Don Antonio Carcia *gobernador* of four headtowns: Totomixtlahuaca, (Teo)Cuitlapa, Tenango and Atlixac. In addition, he also held the charge of *fiscal* in Atlixac and of *tlayacanqui* in Chiepetlan, a subject of Tenango. One can imagine his power in the region where he helped himself to *indios de servicio* ('service Indians') to take care of his fields and his home, and demanded contributions of cockerels and hens, pretending these were for the Church.

The government of the major headtowns of Tlapa and Caltitlan was taken in the same way. This gave rise to internal conflicts within the Indian population, about which little is known. At any rate, at some point between 1664 and 1720 the Spanish authorities denied accession to the posts of *alcaldes* to "all people belonging to the *cabecera* (of Tlapa) (...) for there had been a lot of trouble in collecting tribute

money, with the (Tlapa) authorities misusing it or taking advantage of their fellow Indians: sometimes they made them pay the same tribute twice, sometimes they forced them to build their houses, till their fields or made them work for them personally against their will without paying them anything."

To prevent this kind of abuses an annual rotation was set up among the subject villages: "It has been the custom (...) to hold elections every year to appoint an Indian governor with the required abilities, one coming from a neighbouring village, and who came to the headtown to hold his office." The new organization was efficient in overcoming the *caciques* (who, starting in the eighteenth century, seemed to have lost interest in village government anyway), but failed to eliminate the forced work tasks, part of their pre-Hispanic heritage. As early as 1721 the governor of Tlapa and his three *alcaldes* had come from the village of Atlamajac according to the rotating system and stayed the whole year in the headtown. "When the time came for the Indians to pay tribute to him, he used them, just like his predecessor, to cultivate the fields, whether irrigated or not, as well as vegetable gardens, and for other personal purposes, without paying them anything." During the following thirty years, though the offices were no longer hoarded by the *caciques*, forced work and dues in kind still persisted. All the requests filed between 1720 and 1750 complain of "personal services rendered to the governor" and of double payment of dues. In 1721, Alcozauca explained that quite often the officers "spent the tribute money and had them pay it once again." Again in 1759, the governor and officers of Tlapa were jailed for 325 pesos and 2 reales of the August installment (tribute money) and the people of Zoyatlan declared: "They made us work for their own profit to pay for their drunkenness (...). After we had more than fulfilled the royal tribute, those governors dissipated and spent it in their sinful customs." Lastly, in 1767, the *alcalde mayor* of Tlapa noted himself that it had happened that the governor had spent the tribute money he collected. He further complained that "(...) this governor visited all the villages in his charge in order to collect the tribute gathered by the republic officers (...) and forced them to pay various duties illegally." However, starting from 1760, as a result of the rotation of charges combined with the first village 'secessions', these corrupt practices were no longer mentioned. From then on, the requests were concerned with different kinds of things.

The Interests of the Cabeceras of the Republic of Indians

While, until that time, the village 'secessions' had appeared as a refusal of the contributions inherited from the old *caciques*, the new splits had different motivations. The main reason alleged was that the *alcaldes* had to reside in the headtown during their tenure in office. The people of Alpoyecancingo complained that "the village *alcaldes* were forced to take their office in the residence of the headtown gov-

error, bringing with them their wives and children." Those of Acuilpa "were forced to desert their homes to hold the Republic offices of the town of Tlapa; when their turn came to be appointed by election, they had to leave their lands and lose their crops in order to collect the royal tributes." The requests often exaggerated the distance between the subject and its headtown, mentioning a river that had to be crossed between the two. The situation may be described as follows: the inhabitants of a group of villages took turns to hold the *alcaldes* offices (*gobernador*, *alcalde tlayacanqui*, or *alcalde ordinario*) in the communal house of the headtown. This system worked well when it was the turn of the headtown people; but those from subject villages had to come and stay in the headtown or else to go there periodically. To avoid this unfair treatment, subject villages started seeking their autonomy, so that over half a century all the community groupings split one after the other.

In 1767 Tlapa, suddenly bereft of fourteen subjects, reorganized itself: the old rotating system would be maintained, resting on seven villages: Acuilpa, Cuatololotitlan, Copanatoyac, Xalatzalan, Cuauchimalco, Petlacala and Tlapa. The first four, in fact, lost no time in becoming independent. In 1768 the government of Tlapa was handled by three rotating villages: Tlapa proper, Cuauchimalco (66 tributaries) and Petlacala (56 tributaries). Until then, no community had ever tried to secede with such a small number of families. Cuauchimalco and Petlacala were the first ones, which is understandable, considering that, beside holding offices in the headtown, their inhabitants, men or women, were also required by the *alcalde mayor* for "personal services such as gathering wood, drawing water, taking care of horses and other domestic duties (...). These works had been tolerated until now because there were many subject villages, so that each one's turn came up every fifth week; now, however, because of the new division, it was their turn twice a month," which was a very heavy load. One can guess at the thoughts of the inhabitants of the two villages faced with the alternative of providing even more work to comply with Tlapa's increased requirements, while still maintaining a subject village government with at least three officers (the *tlayacanqui*, the *alcalde mayor* and the *fiscal*). By the end of the century a great many villages of less than fifty tributaries had acquired their own churches, community houses and governments to avoid having to participate in two governments—their own and that of the headtown.

As a matter of course, the *cabeceras*¹ interest was to oppose the secessions, which reduced the number of men liable to hold public offices. The documents occasionally mention a governor who continued to demand tribute from his ex-subjects, notwithstanding the split; or they tell tales of village raids very much like the ones which happen today in the *Montaña*: "The Indians (from Alcozauca) gave assault to our village (Amapilca) one night to take us prisoners and do us wrong."

The emergence of these *cabeceras* of the second generation, gathering several subjects under their jurisdiction and thus reinstating a situation of inequality between the communities, remains to be explained. Though this process is fairly difficult to trace, it seems that it arose from older subjection situations, of which agrarian documents give us a hint. Let us recall that landless villages used to rent land from a neighbouring village: landowning villages, as it happened, often became headtowns, while their tenants became subjects:

- a) Xalpatlahuac, which became headtown to three villages in 1768, had been the 'owner' of one of them named Zacatipa. To this initial nucleus a neighbouring village was adjoined (Xalatzala) along with its 'annex' (Tlacotla);
- b) Acuilpa, which at the same time took three subject villages under its jurisdiction, had owned the land of one of them, Petlalcingo, and took over the other two.

However, the power of the *cabeceras* of the second generation always remained restricted and often questioned, sometimes even before independence from Tlapa was granted. Zoyatlan, for instance, filed its first request in 1759, on behalf of thirteen villages. When it became autonomous in 1768 only four of these were still under its control. The others had filed suits on their own account, like Potuicha which with 130 tributaries was strong enough to elect its own government. In the same way Alpoyecancingo became headtown to five subject villages in 1765. The first of them, Atzompa, became independent itself after two years; the others subjected themselves either to Atlamajalcingo del Monte or to Metlatonoc. Even the power of the landowning villages came to be questioned during 'secessions', as occurred with Cuauhimalco and Petlacala, which remained Tlapa's only subjects after 1768. As the former was the latter's tenant it might have been expected to become its subject, but it turned out otherwise. Both villages requested their autonomy at the same time, each on its own account. Thus the administrative reorganization of the second half of the eighteenth century was the result of an intricate play of interests. All the other changes that affected the area, whether dictated by the Church, were inspired by the same kind of considerations.

The Interests of the Cabeceras de Curato.

The Indian villages were also part of the Church organization. What were the specific interests involved in becoming a parish centre? The peculiar case of one village of the region will bring them to light: in 1770 Chietepec was *"the subject of two different headtowns, which was not the case for any other village in the jurisdiction. At the secular or political level, it depended on the government of Chiepetlan which required the inhabitants to share in the labours and charges of its community and of its church."* It should be repeated here that a village government was comprised of public (*alcaldes*) and Church (*fiscales*) office holders. But Chiepetepec also belonged to the parish

of Tlapa "*whose Indians forced them also to participate in all the personal services that might be required in the church,*" meaning the works carried out in the Tlapa temples.

Indeed, the building of churches was the main source of inequality between the headtown and its subjects, as shown in the following example. In 1771 five villages of the parish of Metlatonoc were working without payment on the construction of a church in stone in the village of Metlatonoc. Starting from 1771 a third of their tributes also served to pay for the masons who had thus far been paid by the vicar. The four subject villages had to provide a greater effort than the *cabecera* since, beside providing free labour for the church being built, they had to commute from their own villages to Metlatonoc. So, they profited from it much less than the headtown, since they still had to build and maintain their own churches, which with their limited means in labour and money would necessarily be plainer than the Metlatonoc church. Heavy work and less profit for the subjects than for the headtown, and you have the parish divisions. The same applies to other areas as well.

The Interests of Villages with Schools

Starting from 1770, a royal warrant made it compulsory to teach the Christian doctrine in Spanish to every village: "*all the Indians, adults and children alike (...) are compelled to attend every day from morning till evening (...). The prejudice will be great for adult and married Indians who are kept away from their occupations (...), especially at the times of sowing and harvesting when the same assiduity is required (...). Moreover, when they skip school, they are flogged by the minister (...) and he will do the same thing to those who, in view of their age, do not know but their own language and can not speak Spanish.*" The heads of families in each village shared the cost of the schoolmaster (from 30 to 100 *pesos* annually according the school size), each one providing him besides with two *almudes* of maize at harvest time. The people of three subject villages of Atlamajalcingo del Monte attended school in the headtown. They suffered even greater prejudice, "*having to walk five miles and back; the Chinacuautila people had to walk even further.*" Later on, school attendance was no longer compulsory for adults, but a number of subject villages continued to request one schoolmaster per village.

The Interests of the Cabeceras de Alcaldia Mayor

Only in exceptional cases did the villages under this politico-administrative category exhibit their interest. Most of the time, the *cabecera de alcaldia mayor* remained perfectly steady, and Tlapa was no exception. However, in the neighbouring province of Igualapa, two major towns fought for this title through the centuries. First, Igualapa was the residence of the *alcalde mayor*, then he chose to live in

Ometepec, whose large numbers of Spanish and other non-Indian inhabitants seemed more welcoming. But by 1766, one *alcalde mayor* decided to return to Igualapa; he summoned the governors of the headtowns of the *alcaldía* (Ometepec, Sacualpa, Sochistlahuaca) and ordered them to build palaces and a prison. The villagers who, beside losing the privilege of living in a capital, were also compelled to provide many days of free, unpaid labour, reacted violently. In the face of the Indians' resistance in the whole region, the *alcalde mayor* did not dare send troops on the grounds that "it would have started a riot, as I was told that they were on the alert and armed with arrows." Some time later there were clashes when Ometepec officials beat some soldiers, and upon inquiry, the judge decided in favour of the Ometepec inhabitants and ordered the *alcalde mayor* to keep his residence there.

TABLE II. POLITICO-ADMINISTRATIVE AND ECCLESIASTICAL CATEGORIES
RELATIONSHIPS WITH THE SPANISH WORLD

principal category	definition	subordinate category	definition
<i>cabecera de república</i>	place of residence of a tax-collecting <i>gobernador</i>	<i>pueblo sujeto</i> or <i>barrio</i>	place of residence of <i>alcaldes</i> subordinate to the <i>gobernador</i> and without direct relationship with the <i>alcalde mayor</i>
<i>cabecera agraria</i> or <i>partido</i>	place of residence of <i>alcalde</i> representing the territory	<i>pueblo sujeto</i> or <i>agregado</i> or <i>barrio</i>	subordinate to an <i>alcalde</i> representing the territory
<i>cabecera de curato</i>	place of residence of a vicar	<i>pueblo sujeto</i>	without direct relationships with the vicar
<i>pueblo con escuela</i>	place of residence of a schoolmaster	<i>pueblo sujeto</i>	without direct relationship with the schoolmaster
<i>cabecera de alcaldía mayor</i>	place of residence of the <i>alcalde mayor</i>	<i>pueblo sujeto</i>	without direct relationships with the <i>alcalde mayor</i>

COMMUNITY AND FREE LABOUR

At the beginning of this chapter I raised the question of the definition of the native community as it was formed at the end of the eighteenth century. It comes out of the documents that a distinction

must be made first between the categories -administrative and ecclesiastical- imposed by the Spanish regime. This leads me to define the terms used in the documents pertaining to this region and these years (see table II). The same term had different meanings: the term *cabecera*, for instance, could apply to the village where the governor who collected the tributes had his residence, to the village which took the lead (*hacia cabeza*) in agrarian affairs, or to the place of residence of the vicar or of the *alcalde mayor*. The term *sujeto* or *barrio* could be used for a village depending on a *cabecera* for political or agrarian matters. However, a village could also have been the subject of a parish village (*sujeto de curato*), of a village with a school, or of an *alcaldia mayor*. In one case, that of Caltitlan, the *barrio* had the quasi-European meaning of a section of the town of Tlapa, with the rank of *cabecera*, a governor and different subjects, but that is the only example of its kind.

More generally speaking the categories of *cabecera* and *sujeto* or *barrio* determined the relationship of a village with the Spanish colonial world. In the case of a *cabecera*, this was a direct relationship with the *alcalde mayor*, the agrarian authorities, the vicar, the schoolmaster, and in the cases of *sujetos*, *barrios* and *agregados* of an indirect relationship depending on the *cabecera*. In addition, as is shown in Table III, those categories determined the amount of labour or money required from the villages. Each category had its own sector: the role of the *república de indios* was to distribute offices, collect tributes and order the building of community houses and churches. The parish was concerned with the construction of major churches and the organization of domestic services which were due to the clergy; the villages which owned a school had to build the classrooms, check the attendance to classes and pay for the schoolmaster. In the *alcaldia mayor* obligatory domestic services were organized for the *alcalde mayor* and his lieutenants, and the construction of *casas reales* or municipal buildings.

But being a headtown or a subject meant more or less labour contribution for the village inhabitants. The subject villages always found themselves at a disadvantage position, however; an essential difference introduced in the middle of eighteenth century. Until then, the subject villages owed personal services to the governor and sometimes paid the tributes twice. In other words, most of their effort was directed to the governor and the Indian *alcaldes* of the headtown. This was no longer the case after 1750: from then on, the main effort of the subject villages was an unequal sharing in the communal organization, like enforced residence in the headtown for the *alcaldes* coming from the subject villages, double work for the construction of the community houses in the subject village and in the headtown. The subject villages of a parish or school centre also had to build two buildings, one in their own village and one in the headtown, and provide domestic services despite the distance between the two places. In the case of villages subjected to agrarian communities (named *sujetos*,

TABLE III. POLITICO-ADMINISTRATIVE AND ECCLESIASTICAL CATEGORIES
COSTS IN LABOUR AND MONEY

principal category	costs in labour and money	subordinate category	costs in labour
<i>cabecera de república</i>	construction of a community house and of a church, "having enough leading Indian citizens to hold the offices of <i>gobernador</i> , <i>alcaldes</i> and <i>fiscales</i> "	<i>pueblo sujeto</i> or <i>barrio</i>	- before 1750: personal services to to the <i>gobernador</i> and double payment of tributes; - after 1750: construction of a community house and of a church, holding minor offices, residing in the <i>cabecera</i>
<i>cabecera agraria</i> or <i>partido</i>	direct right to use the land	<i>pueblo sujeto</i> or <i>agregado</i> or <i>barrio</i>	no direct right
<i>cabecera de curato</i>	construction of an adobe church; personal services to the vicar	<i>pueblo sujeto</i>	participation in the construction and personal services, plus the trip to the <i>cabecera</i>
<i>pueblo con escuela</i>	construction of a school; school attendance; payment of the schoolmaster	<i>pueblo sujeto</i>	the same, plus the trip to the headtown
<i>cabecera de alcaldía mayor</i>	construction of the <i>casas reales</i> ; personal services to the <i>alcalde mayor</i>	<i>pueblo sujeto</i>	the same, plus the trip to the <i>cabecera</i>

agregados or *barrios*) there was no free labour involved. The only prejudice they could suffer was an economic one, such as the payment of a rent. But at any rate, the agrarian struggle seems to have been an epiphenomenon of the administrative or ecclesiastical struggle which were aimed at reducing the workload of the people.

In sum, the indigenous village, before being defined by its communal territory, was defined as a part of the tax-collecting system, whether in labour or in money. Little by little the villages evolved with the division of the old large *cabeceras* and the weakening of their internal hierarchy, while neighbouring villages kept fighting each other in court, trying to reduce their shares of forced labour. Although at the end of the eighteenth century there was still some inequality between headtown and subjects, this was much less so than it had been before. The contributions in labour due to the governors

had disappeared and a majority of the villages had their own territories and governments. For these reasons, the native community which arose in Tlapa at that time seems to have had quite modern features and resembled in many ways modern twentieth peasant communities. It should be noted that it was formed by this contradictory 'secession' process, which was not without conflicts arising from the conjunction of special interests.

More important still is the fact that from the eighteenth century up to this day, the native communities have continued to split. For example, on the territory of the colonial village of Malinaltepec, separated from Tlapa in 1767, a large number of *comisarias*, i.e. subordinate centers somewhat similar to the *sujetos de cabecera* of the colonial period, have been formed. Twenty of them appeared between 1910 and 1950 and twentythree between 1950 and today. Moreover, the anthropological studies of the region demonstrates that the consequence of this process was that only the most ancient villages possess both their own land and their own 'government' (which is now called the 'cargosystem'). The majority have only one of these attributes. Besides, having one's own *cargos* does not save one from having to share in the system of *cargos* of a larger community and from being incorporated into a larger territory.⁸ An important question arises: instead of postulating that stability is an essential feature of the indigenous community, as anthropologists have done for so long, might not the contrary be suggested: that its intrinsic characteristic ever since its inception has been the recurring conjunction of conflicting interests, leading to neverending 'secessions'?

ENDNOTES

1. "Descripción de la provincia de Tlapa" (1743), in Archivo General de Indias, Seville (hereafter AGI), Indiferente General, leg. 108, fs. 188-197.

2. Letter from Fray Alonso Delgado (March 26, 1571), in *Relación de los obispos de Tlaxcala, Michoacán, Oaxaca y otros lugares en el siglo XVI*, Luis García Pimentel, ed. (Mexico City, Madrid and Paris, 1904).

3. AGI, Patronato, leg. 182, exp. 44 (1573).

4. For all documentation directly concerned with the secession of villages, see Archivo General de la Nación, Mexico City, Ramo de Indios, vols. 25-70.

5. These figures were taken from a demographical study, see my book *Quand les banquiers étaient des Saints: 450 ans de l'histoire économique et sociale d'une province indienne du Mexique* (Paris, forthcoming, 1991). Here the 1570 census is compared with those of 1743 or 1777, although the demographical depression of the beginning of the seventeenth century occurred between those two dates. The Tlapa province, excluding Huamuxtitlan-Olinálá, totalized 5,360 tributaries in 1570 and 5,975 in 1743.

6. Further on, the various meanings of the term *barrio* will be given; here it applies to a minor community which lacks the government of a subject village, in other words, to a category inferior to that of subject village.

7. This and the following two documents were taken from the agrarian titles which are still in the hands of the village authorities of Teocuitlapa, Acatepec, Zapotitlán Tablas and Huitzapula, where I consulted them.

8. This problem has been discussed in Danièle Dehouve, "Comment définir la communauté indienne meso-américaine? Reflexions sur les fluctuations des coutumes communautaires en Pays Tlapanèque," in *Cahiers des Amériques Latines*, 20 (1979), 47-63. For a discussion of the economic integration of the *pueblos de indios*, see my essay "El pueblo de indios y el mercado: Tlapa en el siglo XVIII," in *Empresarios, indios y estado. Perfil de la economía mexicana (Siglo XVIII)*, Arij Ouweneel and Cristina Torales Pacheco (comps.) (Amsterdam, 1988), 86-102.



Part Two

Religion, Ideology and Politics

**Images and Prophets:
Indian Religion and
the Spanish Conquest***

D. A. BRADING

*Centre of Latin American Studies
University of Cambridge*

I

In 1562, little more than fifteen years after the conquest of Yucatán, the Franciscan friars charged with the evangelization of that province were horrified to learn that many of their most trusted native assistants had continued to organise surreptitious pagan rites, at times even employing Christian churches for that purpose. To ascertain the full extent of these practices and to extirpate all remains of Indian religion, the mendicants launched a reign of terror, imprisoning thousands of unfortunate natives and subjecting the ringleaders to torture. According to reliable testimony, men were hung up, whipped and burnt with lighted tapers, with fifteen individuals dying from their torment and many others left permanently crippled; a handful preferred suicide rather than submit to torture. The Indian ordeal was brought to a summary end with the arrival of a newly-appointed bishop, himself a Franciscan, who described the friars as 'men of little learning and less charity'. The secular authorities in Madrid were equally horrified to learn of such dire punishments meted out to their subjects and strongly reprimanded the governor for allowing torture on such a scale.¹ On the other hand, although the Provincial responsible for the campaign was summoned to Spain to answer charges, in the event he was exonerated and indeed subsequently appointed bishop of Yucatán, there to continue his missionary endeavours.

* This essay was originally designed as a Lecture in a series on Catholicism and Culture, delivered at St. Edmund's House, University of Cambridge, 1986.

The violence of the friars sprang in large measure from the shock of betrayal. For with Spanish conquest assured, the Maya elite, composed of lords and priests, appears to have accepted the Christian gospel, vying to lead their communities in the celebration of the Catholic liturgy and the construction of churches. But they remained faithful to their traditional belief in the necessity of sacrifice, without which, so it was thought, the power of the gods would fade and the life-force of the universe grow weak. In consequence they offered foodstuffs, animals and human life itself, cutting hearts from children as their ancestors had done since time immemorial. At the same time, they were influenced by Christian teaching and in one case crucified a child before offering its heart in the approved manner. Although most Indians retracted their confessions once the threat of torture was removed, there can be little doubt about the authenticity of their testimony concerning the survival of ancestral rites and beliefs.

To recount this painful episode is to remind ourselves that Christianity in the New World derived from armed conquest and that native religion was suppressed by the use of force and terror. In the same way that Mahmud of Ghaznah swept into northern India, sacking and burning Hindu temples, so equally the Spanish conquerors smashed idols, destroyed temples and put to the sword any native priests they encountered. As one observer later explained:² *"they had it by faith that it was a great virtue to kill these Indians and lance them, since they saw them as idolaters, adoring stones, sacrificing men and eating human flesh, and since they were not theologians they thought they were serving God in killing his enemies."* It was the often atrocious crimes of the conquerors which led Bartolomé de las Casas, the great Dominican defender of the Indians, to condemn them as tyrants and murderers, more servants of the Devil than of Christ, guilty, so he charged, of the Islamic heresy of enforcing conversion at the sword-point. Instead of being hailed as heroes and rewarded with titles of nobility, Cortés and Pizarro, he declared, should have been hung as common criminals.³

The attitude of the conquerors, reared in a tradition of frontier warfare against the Moors, is more readily understood if we recall that virtually all Christian theologians identified the gods of polytheism as devils' agents of Satan whose influence in oracles and ritual actively corrupted the souls of their worshippers. Had not St. Augustine in his *City of God* anatomised classical religion as a vast, wantonly perverted kingdom of darkness? Moreover, sixteenth-century Europe witnessed a strong upsurge in public fears of demonic intervention in human affairs, fears that were to send thousands of unfortunates to the stake as witches. So, it should come as no surprise to learn that most Europeans on sallying forth into Asia, Africa and America found ample evidence of the Devil's presence in the images found in Hindu, Buddhist and pagan temples.⁴ When the Franciscans and Dominicans entered the New World, they clearly envisaged themselves as Christian warriors engaged in cosmic battle against the prin-

cialties and powers of hell. After celebrating the heroic virtues of missionaries in northern Mexico, a Jesuit chronicler hailed them as:⁵

"these workers of the gospel and soldiers of the militia of Christ, who were employed in the apostolic ministry of these spiritual conquests and enterprises, waged so as to liberate the souls God had ransomed with his blood, and to overthrow the fortresses where the Devil held them captive."

The spiritual conquest, as the process of conversion was so often termed, thus entailed victory over Satan, with the souls of the Indians the battle-ground and prize.

It would be an unpardonable injustice not to emphasise the exemplary dedication of so many of the first evangelists in the Indies, with the Franciscans in Mexico taking the lead in preaching the gospel as much by example as through instruction. Their provincial, Martín de Valencia, was an ascetic more liable to scourge his own mortified flesh than to whip dissident Indians. The mendicants summoned the children of the Indian nobility to their priories and with their assistance soon learned native tongues, relying upon these young disciples to act as interpreters. Within a generation, the friars in New Spain inaugurated a vast programme of re-settlement of Indian communities in new villages, all dominated by the high, single-naved Gothic churches they constructed. Moreover, their chroniclers marvelled at the enthusiasm with which the natives of central Mexico flocked in thousands to receive baptism and learn the elements of their new religion, at times their lords competing for the privilege of establishing priories within their territory. Nor are there good reasons to doubt their testimony, since, as we shall see, few reports of similar enthusiasm ever came out of Peru, where the Indians were uniformly described as cold and indifferent to the Christian gospel.⁶

If the mendicants in Mexico succeeded in winning the devotion of their neophytes through the material austerity and spiritual dedication of their lives, they entertained few illusions about the lasting character of that initial euphoria. The more they explored Indian religion, the more fears they had about the survival of pagan ways of thought. At the same time, they attested to the growing demoralisation of the native population, as it was subjected both to exploitation by Spanish settlers and to the inroads of epidemic disease. So often, their pleas on behalf of their native charges went unheard by the Crown. Perhaps the most startling feature of the Franciscan mission was the thoroughness with which they compiled information on Indian religion, language, history and culture, a learned enterprise only made possible by the collaboration of native disciples whom they had trained and educated. Yet this very study of native religion was undertaken so as to ascertain the best way of destroying its every vestige. Moreover, although Bartolomé de las Casas vigorously defended the achievements of Indian culture, advancing a wealth of information, in part culled from the Franciscan inquiry, to demonstrate that the Aztecs and Incas were as capable as the ancient Greeks and Romans of fra-

ming and observing laws and social rules that derived from the dictates of universal natural law, nevertheless, in practice the mendicants sought to transform the material and political framework of native life, introducing Spanish crafts and Spanish civic institutions.⁷ In effect, the spiritual conquest entailed hispanisation. If in Asia the Jesuits donned the clothes of mandarins, samurai and brahmins, in America the Indian elite were encouraged to take Spanish names and wear Spanish clothes. Since native culture and religion could not be readily separated, other than in the use of language and forms of agriculture, then conversion was inevitably accompanied by acculturation.

In this context, it should be observed that the secular authorities equally sought to hispanize, or, as they put the matter, civilize the Indians, a goal expressed with his customary frankness by Francisco de Toledo, Viceroy of Peru 1569-1581, when he wrote: "*To learn to be Christians, they first have to be men and introduced to a political and rational mode of government and life.*" With this end in view, he despatched visitors across the Andes first to conduct a general enquiry into Inca forms of government and thereafter to re-settle and concentrate the native population into newly-established villages, each endowed with a church and council buildings modelled on their counterparts in Spain.⁸ Moreover, not merely was the Indian thus incorporated into the Catholic monarchy of the Habsburgs, he was also given the unenviable opportunity to contribute to the growth of commercial capitalism when Toledo cited Inca precedent to justify the organisation of a system of forced labour levies whereby thousands of Indian peasants were obliged to work each year in the mines of Potosí and Huancavelica. Small wonder that it became a commonplace among chroniclers that the Indians of Peru and Mexico resembled the children of Israel labouring for Pharaoh in Egypt.

II

By the early seventeenth century most chroniclers in New Spain united to commend the Christian devotion of the Indians. At the same time, they were quite explicit about the character of popular religion. Above all else, the Indians were *ceremoniáticos*, which is to say addicted to Catholic ritual. From the start, the mendicants had exploited the resources of the liturgical calendar, celebrating the great feasts of the Christian year with the maximum pomp and ceremony, all with the aim of replacing the equally elaborate cycle of pagan festivals and sacrifices to which the Indians were accustomed. Churches were often built on the very sites of former temples, a strategy, it will be remembered, recommended by Pope Gregory the Great to St. Augustine of Canterbury, the presumption being that what worked with Anglo-Saxons could equally serve the Aztecs and Mayas.⁹ Moreover, the churches, at first decorated with murals depicting scenes from the life of Christ, were later adorned with a profusion of images, paintings

and side-altars, with the high-altar surmounted by rich, elaborate *retablos* that soared to the vaults above. So also, most churches had organs, their musical performance further assisted by native orchestras and choirs. The importance of these sanctuaries was further strengthened by the use of their naves as graves for parishioners, so that with the passage of time their congregations came to pray over the bones of their ancestors.

To dismiss the Indian religion that derived from the conquest as mere external conformity to a cult imposed by force; to assert that immersion in Catholic ritual did not exercise any influence over men's lives or thoughts; to urge the Christian priority of individual conscience and morality over collective forms of worship—all this is to take a liberal or Protestant view of the matter. Christianity in the New World derived from the incorporation of entire communities into the religious culture of the Spanish Church; it did not spring from individual acts of conversion. Moreover, both in the Middle Ages and during the Counter-Reformation, the Catholic liturgy, both in the sacrifice of the Mass and in its sacraments, was seen as a fount of divine grace that raised its participants into a supernatural realm. In an eloquent sermon, Bishop Palafox of Puebla fixed upon Jacob's vision at Bethel of a ladder to heaven, with angels constantly ascending and descending, as the very image and prototype of all Catholic churches, declaring that God especially dwelt in their precincts, with thousands of his angels daily assisting the priesthood in their celebration of mass.¹⁰ The very wealth of decoration in Baroque churches, with the gilt of their altars and images illumined by the flickering light of a banked mass of candles, was designed to offer the worshipper a fore-taste of paradise. As one chronicler observed:¹¹ *"officiating at mass with so much music, both of voices and of instruments (...) the priest accompanied by his deacons, the high altar and steps filled and surrounded by acolytes in coloured cassocks and white capes, with incense thurifers and bells, at the moment when the Host and Body of Christ Our Lord is elevated, the entire place with its adornments, persons and sound of bells appears like heaven resumed on earth."* Is there any reason to suppose that the ceremonies which so affected a Franciscan priest did not also move the mind and heart of the Indian peasant?

The same chroniclers explain that during the re-settlement of the Indian population, most villages were divided into *barrios* or wards, with each division endowed with its own patron saint. In some areas, particularly in Michoacán, hospitals were established, invariably under the patronage of the Virgin Mary. Then again, certain confraternities were organised, usually dedicated to the Holy Cross or the blessed Souls of Purgatory. All these social units were identified, so to say, by the possession of the image of their patron saint, which soon became an object of veneration at times richly adorned with vestments and jewels. It was the confraternities and the *mayordomos* of the wards that organised processions through the streets on the saints' feast-days and during Holy Week when all the images were brought

out of their chapels. It was the same bodies who were responsible for the re-enactment of the battle of Moors and Christians that was held on Corpus Christi and the dances that marked other feasts. As one friar observed, the Indians were "*extreme in their cult and reverence of images,*" each house possessing its own small altar with a crucifix and figures of the Virgin Mary and other saints. Moreover, in most villages and districts certain images became especially venerated, acquiring a reputation for miraculous cures or protection from accident, so that in the course of time they came to attract pilgrims and offerings. By the eighteenth century it was possible for pious authors to frame a spiritual geography of the country, listing the sanctuaries that possessed miraculous images.¹²

The testimony of the chroniclers has been confirmed by modern anthropologists and historians. In a recent study of the Mayas under colonial rule, Professor Nancy Farriss distinguishes three levels of religion, arguing that as a result of conquest the Mayas essentially lost access to universal religion, which finds expression in philosophic approach to the meaning of life and the universe, and instead were reduced to the secondary level of the local cult of the saints, supplemented by the tertiary or lower sphere of private superstition and shamanistic folk-healing.¹³ Where her description scores over contemporary accounts is in the definition of the social function of this cult, the Maya elite dominating both the organisation of the processions, ritual and dinners that accompanied the great annual feasts and funding the expenses through the income derived from communal lands set aside for that purpose. The same men, descendants of pre-conquest rulers and priests, acted as masters of ceremonies in the churches and presided over the subsequent banquets, their social eminence thus confirmed by their skill and expertise in organising Catholic ritual. Moreover, Professor Farriss discerns in the Maya emphasis on banqueting a survival of their ancestral persuasion as to the necessity of sacrifice from mankind if the divine life-force of the universe was to be maintained.

Needless, to say, there was nothing peculiarly Indian or indeed popular about the cult of Catholic images. At some point in the Middle Ages, the veneration for the relics of saints and their tombs, the origins of which in late Antiquity have been sketched so brilliantly by Peter Brown, was replaced by an equally pervasive veneration for the images of saints, with the crucified Christ and the Virgin Mary obviously accorded the greatest honour. In Spain the tomb of St. James the Apostle at Compostela had served as a Christian rally-point in the struggle against the Moors. But from the thirteenth century onwards increasing devotion was paid to the images of Our Lady at Guadalupe and of Pilar at Zaragoza, images miraculously discovered with the assistance of angelic apparitions. Moreover, although both humanists and Protestants criticised the medieval proliferation of images, in Counter-Reformation Spain their cult was strengthened and extended, with presumed miracles, pilgrimages and offerings a testimony to

their command over religious sentiment. Moreover, as William Christian reminds us, this local religion was not merely popular, since kings and nobles proved equally captivated by the powers of favoured images, with the clergy waxing fervidly in their praise. So also, Spanish cities as much as Indian villages opened their streets to the processions organised by the confraternities during Holy Week and other great feasts.¹⁴ Indeed, there was a remarkable uniformity in the public forms of Tridentine Catholicism, with certain devotions extending all the way from Poland to Peru.

Many of the figures venerated in the New World were copies of Spanish originals, images transported across the Atlantic by pious benefactors. At times the welcome extended to their arrival was extravagant. Thus when the ship bearing a copy of the powerful carving of the crucified Christ venerated at Burgos reached Callao it was greeted with a salvo of cannon. Moreover, when the image was uncovered in the church of the Augustinian friars at Lima, surrounded by no less than 34 massive wax candles each weighing five pounds, the first devotions were attended by the Viceroy and other leading officials and such was the mass of spectators that the doors of the church could not be shut until past midnight. The chronicler describing these scenes recorded the sound of fireworks, adding "*another music then gave joy to the heavens, there entering many penitents, who having that day seen such a bloody and wounded Image, in sorrow for having sinned, went scourging their flesh, forcing those who saw them to utter unhappy sighs.*" Thereafter, the image attracted the formation of its own confraternity which soon endowed it with a chapel situated within the Augustinian church.¹⁵

Other figures were carved or painted in America, at times with the express purpose of replacing previous idols. For example, at Copacabana, a small island in Lake Titicaca, situated high within the Peruvian Andes, there had existed a pagan sanctuary, where on great annual feasts over two hundred young children were sacrificed in honour of the sun, the chief deity of the Incas. The temple was served by a convent of young girls, the famous Virgins of the sun, and was one of the three great pilgrimage shrines of Peru. After a considerable lapse of time when the site was deserted, an Indian lord of the district commissioned his nephew, then resident in the mining city of Potosí, to sculpt an image of the Virgin Mary, which, once gilded by a Spanish artisan, was set up in a small chapel in Copacabana, which soon acquired a reputation for miraculous cures, so that the island once more began to welcome pilgrims. Since the natives of this zone were regularly drafted to work in the mines at Potosí, where they were exposed to accidents and ill-treatment, they especially sought the protection of Our Lady of Copacabana and indeed established another chapel with a copy of her image at Potosí itself.¹⁶ What is remarkable about this case is that all the initiative derived from the Indians, with the Augustinian friars installed as custodians of the shrine after its inception.

By far the most celebrated image in the New World was the painting of Our Lady of Guadalupe venerated at Tepeyac, a hill-side sanctuary outside Mexico City where once Tonantzin, the Aztec mother of the gods, had been worshipped. In 1648 there was published the first account of how the Virgin Mary had appeared in 1531 to a poor Indian, Juan Diego, and thereafter had miraculously imprinted her likeness on his cape. Until then the shrine had only attracted local pilgrimage, and indeed had been sharply criticised by Franciscan missionaries as a mask for idolatry. But in the decades which followed, Creole canons and university professors vied to exalt and propagate the cult, constructing a pilgrim highway to connect Tepeyac with the capital and eventually raising funds for the construction of a magnificent new church. The story was soon deployed as a foundation myth, the origin of the Mexican Church now attributed, not to the heroic mission of the Spanish Franciscans, but rather to the direct intervention and continued protection of the Virgin Mary, who was thus responsible for the overthrow of Satan's kingdom in Mexico. Veneration of the image, which depicted the Virgin Mary as an Indian or *mestiza*, united both the Creole clergy and Indian masses in common devotion. Moreover, within a century most provincial capitals and towns built altars and chapels in honour of the image and at times constructed sanctuaries often on their outskirts, joined by a pilgrim way, in replication of the relation of Tepeyac and Mexico City. Such was the growth of the cult that in 1746 the Mexican bishops and cathedral chapters joined together to acclaim Our Lady of Guadalupe as the universal patron of New Spain. Implicit within the myth and cult is a covenant of election in which the Mother of God was deemed to have become, in more particular fashion, the mother of all Mexicans. The patriotic significance with which this religious devotion was invested became manifest during the insurgency of 1810 when the rebels led by Miguel Hidalgo, marched and fought for independence under the banner and cry of our Lady of Guadalupe.¹⁷

Oddly enough, this cult reached its apogee in the very decades when first in Spain and then in Mexico the Catholic clergy, now subject to the influence of Jansenism and the Enlightenment, increasingly came to view popular religion with disfavour, its indiscriminate association of festivity with ritual more a source of corruption than of cohesion. In consequence, at the close of the eighteenth century the colonial authorities, both secular and ecclesiastical, launched a campaign to ban the parade of images through the streets and put an end to the dances and representations of the Passion that were so often accompanied by drunkenness and disorders. At times, their condemnation sprang as much from criteria of good taste as from religious considerations. For example, the parish priest of San Pedro Paracho in Michoacán, who confessed he did not understand the Tarascan language of his flock, nevertheless, denounced the Holy Week custom whereby the Indian chosen to represent Christ, his body painted with the signs of the Passion, "*the face, shoulders and body bathed in*

blood," was kept prisoner from Holy Thursday until noon on Good Friday when he was taken and tried before Pilate and Herod, the entire Passion story conducted in Tarascan. The priest commented that he could not observe *"anything which moved them, even in the exterior sense, to devotion."* His predecessor had wished to extinguish the practice but feared, as he did, to provoke a riot since *"they are tenacious and bound to their customs."*¹⁸

The growing fissure between the progressive clergy and popular religion is nowhere better illustrated than in Silao, a small town in de province of Guanajuato, New Spain, where in 1793 the Bishop of Michoacán summarily banned a parade of images during Holy Week. The grounds for his decision were that the processions caused excessive expense for the Indians and led to drunkenness and disorder. In any case, the images were *"for the most part indecent in their construction and much more indecent in their adornment"* and hence brought religion into ridicule. The populace did not care for pious, silent processions, but rather sought occasions which would satisfy their inclination for *"uproar, puerile ostentation and pernicious meeting."* What makes this case unusual is not the prohibition and prejudice of the bishop, but rather the defence of tradition offered by the *mayordomos* of the confraternities, men who described themselves as Indian tributaries, *ladinos* in the Castilian tongue, who represented the artisan guilds of the town. They complained that since the prohibition the country-folk who used to attend the Holy Week celebration no longer came to Silao but sought out more distant places where processions were still held. Commerce had greatly fallen off. Equally important, they argued that the faith of the common people was now growing cold since it lacked the stimulus of spectacle and physical representation. In simple and often ungrammatical words, these acculturated artisans set out a rationale for popular religion which echoed the views advanced by chroniclers of the previous century.¹⁹

"The devotion of the faithful, especially of the poor and ignorant, is becoming lukewarm and soon will arrive at a mere shadow (...) for the very reason that they lack those living representations or images which so create an impression on them that they form some idea or concept of the sublime mysteries of faith, because their rusticity and ignorance does not yield nor let itself be conquered by any explanation in words, no matter how clear, unless there is added an object which teaches them by sight or can be so adapted as to teach them through the material of their senses (...). Which is to say, that since the doors to their intellect are sealed against any discourse, entrance has to come through the senses, if they are to perceive anything or form some idea of the mysteries of religion. Of this truth all parish priests and confessors are faithful witnesses since no matter how much they preach and explain to the people in the most simple words or with the clearest catechism, they always meet with the most

crass ignorance of the mysteries of religion among the populace (...)."

Needless to say, neither bishop nor Viceroy paid any attention to this impassioned plea. Whereas the baroque culture of Tridentine Catholicism had proved remarkably successful in uniting both intellectual elite and the masses in common devotion and equal aesthetic delight, by contrast the progressive, jansenizing clergy of the Erastian Church of the eighteenth century opened a fissure between Indian religion and educated opinion that has never been closed.

III

To describe Indian religion simply in terms of ritual and images is to ignore the native capacity for myth and critical reflection. There is an danger here of applying descriptions of peasant religion provided by contemporary anthropologists to the experience and practice of past centuries. For the modern Indian in Mexico and Peru belongs to remnant communities, the survivors of a secular process of cultural erosion and social degradation. By contrast, despite the trauma of conquest and population decline, the Indian elite of the first century of colonial rule still possessed a collective memory of its previous culture and in several provinces sought to preserve at least certain strands of that culture. Moreover, if overt rejection of Catholic dogma largely ceased after the first generation, individual Indians continued to display a capacity for adapting and translating Christian doctrines to their situation. In any case, the insistence on hispanization by the colonial authorities often met with a dogged resistance, in part unconscious, but also in part based on a critical distinction between religion and culture, the acceptance of Catholicism in no way undermining pride of ancestry.

At its most formal level, the Indian elite's defence of their cultural identity found expression in the recuperation of the historical record. In central Mexico the Aztecs and other peoples had possessed illustrated books, written in glyphs, listing their kings, certain key events, and their territorial boundaries. Most of these *códices* were destroyed during or after the conquest, so that it required a sustained effort by native authorities to compile new records, at first using glyphs, the native characters, however, soon annotated by Nahuatl commentaries in Spanish script and thereafter converted into written annals, which, where necessary, could be translated into Spanish.²⁰ Although the preservation of knowledge about the pre-Hispanic past was largely to depend on the work of the mendicants, nevertheless, without the prior labour and continuing assistance of the Indian elite that achievement would not have been possible. Needless to say, the retrieval of the past was not a disinterested quest, unrelated to material gain, since rights both to territory and to noble status often depended on the authentication of historical events and inheritance.

Written affirmations of Indian beliefs, independent of mendicant inquiry, were of necessity rare, since any overt doubts about Christian doctrine or sympathy for pagan myths could well entail imprisonment. By far the most impressive maintenance of native tradition was to be found in Yucatán, where the Maya jaguar priests, historically charged with elaborate calendrical computations stretching back across millennia, continued their calculations and prophecies across the colonial period. There still survives a small library of their writings known generically as *Chilam Balam*, books of counsel, written in Maya, using the Spanish alphabet. The common feature of these anthologies is their obsession with the measure of time, its passage divided into twenty-year periods called *k'atun*. So accurate were their calculations that the sequence of Maya history for over five hundred years before the arrival of the Spaniards can be traced from them. Possibly the most startling feature of their approach to events is the interpretation of the Spanish conquest as one further invasion of the peninsula, comparable to the arrival of the Itza some eight hundred years before. Indeed, one anthology records a conference of Indian governors, called in 1577 to determine the territorial boundaries of each community without mention or intervention of the colonial authorities.²¹ More important, the study of the past was undertaken to uncover the secret of the future, since the sequence of *k'atuns* was held to be cyclical, at times bringing inevitable catastrophe, at times yielding some measure of relief. Cast in language that was highly poetic, elliptical and allusive in the extreme, nevertheless, in places these books offer remarkably forthright appraisals of the situation of the colonial Maya.

For example, the *Chilam Balam* of Chumayel offers a dramatic, if stoically resigned account of the calamities associated with Spanish rule. "It was only because these priests of ours were to come to an end when misery was introduced, when Christianity was introduced by real Christians. Then with the true God, the true dios, came the beginning of our misery." For the author makes it clear that the conquest entailed enforced tribute, excessive labour service, outright theft of land, seizure of women and general ill-treatment. The passage concludes: "it is by Anti-Christ on earth (...) by the foxes of the towns, by the blood-sucking insects of the towns, which drained the poverty of the working people." In another anthology, we encounter the statement that "time had gone mad." Yet despite the lamentations, there also occurs an all-pervasive note of resignation.²² Indeed, so great was the expectation of cyclical catastrophe that in 1696 the priests of the small community of Itza who retained their independence of Spanish rule deep within the jungles of Petén, advised their people to accept Christianity and Spanish rule precisely because their reading of the *k'atun* sequence indicated the inevitability of this infliction.²³

At the same time, as the reference to Anti-Christ suggests, their emphasis on prophecy led them to accept a strain of Christian millenarian doctrine that derived from the books of Revelation and Daniel.

It must be remembered that in all likelihood the authors of these anthologies also officiated as masters of ceremonies in the parish church and thus had considerable knowledge of Catholic doctrine. In one collection we find an attempt at an exact correlation of the Maya count of years with Christian chronology. It should come as no surprise, therefore, to encounter a prophecy of the second coming of Christ in which the Mayas were to be liberated from their sufferings. A great deluge would flood the world and the Lord Jesus would return to the valley of Jehosophat near Jerusalem. "*But it shall come to pass that tears shall come to the eyes of our Lord God. The justice of our Lord God shall descend on every part of the world.*" Here, in a text written in a remote village on the Yucatán peninsula, apocalyptic expectation provided, once more, the hope of earthly deliverance.²⁴ Whether that re-assurance derived from the Mayas' Franciscan mentors -the order had numbered many exponents of millennial doctrines in its strife-torn history- or whether it was taken directly from the Book of Revelation and other biblical texts is still a matter for research.

For central Mexico remarkable evidence about the emergence of an entire series of Indian prophets has been recently uncovered by Serge Gruzinski. In the years immediately following the conquest one such man wandered through the villages of the *Sierra* of Puebla, a remote, mountainous tract of territory, preaching both resistance to the Christian gospel and affirmation of the value and authority of traditional rites and beliefs. Indeed, he himself came to be worshipped as a living god and thus in effect re-created rather than merely re-stated ancestral religion, his own role as an itinerant preacher clearly modeled on the activity of the mendicants.²⁵ In the decades which followed, however, there is comparatively little evidence of further overt repudiation of Christianity, in large measure, no doubt, because the cost of denial proved too high. For in 1539 Don Carlos Mendoza Ometoczin, lord of Texcoco, a leading town in the valley of Mexico, was executed by the episcopal Inquisition for his persistent and often expressed opposition to the friars and their teachings.²⁶ Nevertheless, the survival of shamanistic practices and beliefs, especially in regard to traditional medicine and folk-healing, always raised the possibility that the successful or over-confident practitioner might well move beyond healing and spells into the realm of prophecy. Hallucinatory drugs continued to be used in many Indian communities, albeit in secret and no doubt also yielded their crop of visions. Moreover, the very custom of Indians enacting the drama of the Passion at times could lead to a confusion of roles, with mere men invested with the aura of divinity. Certainly, in the seventeenth century one shaman was moved to proclaim himself a god and soon gained the worship of twelve disciples.

By far the most extraordinary case discovered by Gruzinski deals with Antonio Pérez, an Indian prophet who in the 1750s attracted a following of several hundred villagers in the hills between Tlaxcala

and Puebla. His career began with a vision of the Virgin Mary in the woods at the foot of Popocatepetl, the great volcanic mountain in this region, a vision that led to him discovering no less than two images of the Virgin Mary. Thereafter, Pérez started to exercise the functions of a Catholic priest, baptising and confessing his disciples. Later, he proclaimed himself a god and was duly worshipped as such, his new status entitling him to open sexual relations with several girls and even with the wives of his closest associates. Emboldened by popular acclaim, he eventually came to attack the official church, prophesying the imminence of earthquake and epidemic, events which would announce the destruction of Spanish rule and the end of the colonial world, thus opening the way for his own accession as king. Mingled with his cosmic prophecies, there was a note of social radicalism, leading him to observe: "*The world is a cake which has to be divided among everyone.*" At the same time, certain distinctively Indian traits surfaced amidst doctrines and practices otherwise familiar to any student of European messianism. For the images of the Virgin Mary carved by Pérez were grotesque in form and had an aperture in which dried blood was deposited. Moreover, the prophet propounded a myth as to the origin of agriculture in which the soul of Christ was described as composed of maize, the seed of life.²⁷ In short, the case illustrated the extraordinary degree to which Mexican religious sentiment had assumed Christian clothing, with native traditions only emerging at the level of cosmic symbolism and aesthetic preference with little specifically pagan content.

Much the same conclusion can be derived from an examination of religious movements and rebellions in southern Mexico. In 1711-1712 the apparition of the Virgin Mary in a remote village in Chiapas, a mountainous, predominantly Indian province, sparked off a movement in which new images were discovered and venerated in chapels constructed without clerical approval, with native prophets, both men and women, speaking in the name of the Virgin. Far from preaching any return to ancestral beliefs, the ministers of the new cult maintained Catholic ritual, officiating at mass and administering the sacraments. The Spaniards, who still dominated the official Church, were denounced as Jews, as the cruel and avaricious enemies of Christ. In the nineteenth century the same region also witnessed several similar apparitions and movements, including in 1868 the crucifixion of a boy who was subsequently worshipped as an Indian Christ, his memory preserved in ritual dances.²⁸ In all these cases, it is clear that the Indians resented their exclusion from the priesthood, an exclusion which relegated them to perpetual tutelage in all matters religious.

By far the most important Indian revolt in Mexican history occurred in Yucatán during the 1840s, a revolt once more inspired by Maya prophets, who proclaimed the end of alien rule. Its leaders, recruited from the traditional elite, neither assumed divine status nor were inspired by apparitions of the Virgin Mary; instead they drew their au-

thority from talking crosses of which they were both ministers and interpreters. The rebellion they promoted was particularly savage and almost succeeded in the destruction of the Hispanic population of the province. It was animated by the desperation of the Maya elite, who after independence found their status eroded with the confiscation and sale of confraternity lands and the abolition of Indian villages as civic institutions. The ensuing massacres and bitter repression reduced the Mayas to the level of virtual serfs, without communal identity or tradition, subject to the control of the plantations. However, a sector of the rebels retreated to the jungle interior, there to maintain their independence, building a church where to this day they continue to venerate their crosses and celebrate elements of the Catholic liturgy. At present relations between these Maya cross priests and the Church hierarchy remain decidedly frosty, although the occasional Maryknoll father who visits them is accorded a warm welcome.²⁹ Once more, the desire of Indians to control their own religion, free from Spanish or *ladino* interference, is manifest.

IV

In Peru the process of evangelisation proceeded at a much slower pace than in Mexico; the Indians proved cold and indifferent; the quality of the missionaries was often poor; and in general Christianity appears to have been imposed as an official cult, its ministers joining with magistrates and native lords to exploit the resources and labour power of the peasantry.³⁰ During the 1560s a nativistic movement, known as Taki Onquoy, flared up in Huamanga, a highland province in the central Andes, where shamans and seers of both sexes gathered in sessions of ritual drunkenness, possession by spirits, and prolonged dances, there to preach and prophesy the destruction of the Spaniards and the return of the old gods.³¹ Any hope that the surviving Inca principality at Vilcabamba might serve as a focus of widespread rebellion, however, was cut short by Viceroy Toledo, who in 1572 despatched an expedition to capture Tupac Amaru and then publically executed the unfortunate prince in the main square at Cuzco. Nevertheless, most observers agreed that the Indians continued to worship the forces of nature that had traditionally dominated their religion, their adherence to Christianity but the thinnest of veneers. Testimonials taken down in Quechua at Huarochirí at the start of the seventeenth century certainly reveal the persistence of native myths and ritual in an area relatively close to Lima, with Catholic feasts used as a pretext for pagan celebration. At the same time, the document attests to the mental conflict that the rival claims of the two religions could generate in Indian minds, especially in the case of the native elite, which was most exposed to Spanish influence. For the text informs us that a lord of Huarochirí, Don Cristóbal Choquecaca, "*had left off believing in the huaca [god] and did not even remember that it had*

existed." However, his unconscious mind betrayed him, since his dreams were invaded by angry gods, whom he now identified as devils. So powerful was his experience, that he boastfully recounted to the villagers the victories he had won in these frequent night-battles. "*The huaca Llocclayhuanca, of which we make so much, is only a demon owl. Last night, with the help of our mother the Virgin Mary I conquered him. From today onwards you should not enter his house, none of you. If I see anyone enter the house, I may well accuse him before the Father.*" Some years after, Choquecaca made good his threat and denounced the secret worship of the Indians to the parish priest, Francisco de Avila, who in turn informed the Archbishop, the accusation sparking off a widespread campaign to extirpate idolatry in Peru that was to endure for almost half a century, a campaign for which no parallel can be found in Mexico.³²

Despite the reputation of the Andean Indian for frigid indifference to the Catholic Church, it was a native of central Peru who bequeathed to posterity a text which affords remarkable evidence of a genuine appropriation of Christian doctrine. The author of *New Chronicle and Good Government*, a manuscript of 1190 folios and 496 illustrations apparently written in the first decade of the seventeenth century, Guaman Poma de Ayala, was an interpreter, who spent most of his life serving the ecclesiastical and civil authorities, his participation in the grand inquiry into Inca History and government launched by Toledo in the 1570s a decisive influence on his intellectual formation. The progress of his career is as obscure as the history of his manuscript which after being sent to Spain found eventual accommodation in the royal library at Copenhagen, where it remained unnoticed until 1895.³³ Once discovered, it became the object of ever-intensive study by anthropologists and ethnohistorians by reason of its wealth of information on all aspects of native life and history. For the *New Chronicle* offers a history of Peru since creation, a passionate denunciation of the country's misgovernment following Spanish conquest, and proposals for reform. It also provides invaluable testimony of the manner in which a half-educated, acculturated Indian might interpret and deploy Christian doctrine. Written in garrulous, often ungrammatical Spanish, liberally laced with Quechua and occasional Aymará, the text and its illustrations was for that reason once denounced as a naive voice of the Stone Age protesting against the civilisation of the Renaissance.³⁴ In fact, almost every page attests to a powerful and often mordant intelligence, its inadequacy of style more than compensated by the originality of its substance. Guaman Poma made no claim to personal revelation; his role as prophet was limited to denunciation and witness of Indian sufferings; his pretensions merely extended to the claim of royal descent; in essence, his ambition and role was best defined by the three illustrations in which he presented himself as *el autor*, first listening to the Indian sages and record-keepers, then on a journey to Lima, and finally as counsellor of his king, Philip III. To leap across centuries of human history, to move

within a single generation from a pre-literate culture to full-blown consciousness of the individual as an author, his life-work the composition of an extended chronicle and presumed visitation of his country, was clearly the achievement of no ordinary man.

The primordial concern of Guaman Poma was to defend his ancestors and people from the retrospective sentence of collective damnation that had been passed by the Provincial Church Council held at Lima in 1551 on all Indians who had inhabited Peru prior to the arrival of the Spaniards, based on the doctrine frequently advanced in contemporary sermons, that practice of idolatry inevitably entailed hell-fire. By contrast, Guaman Poma boldly sketched out a sequence of Indian history divided into four ages, lasting from the universal flood until Christ's incarnation, in which the natives of Peru had moved from initial savagery to the practice of agriculture, forming fixed settlements and small states, an evolutionary sequence only marred by the appearance of warfare. Throughout this period, estimated according to contemporary calculations at 5,300 years, the Indians worshipped the one true god, albeit dimly conceived, and obeyed the ten commandments.³⁵ Moreover, since communal meals were the rule, no-one went hungry, with the community responsible for the welfare of the elderly, the infirm and the poor. In any case, everyone was provided with a tract of land as their birthright, sufficient to guarantee their maintenance.

Needless to say, corruption entered the Andean paradise long before the advent of the Spaniards. Essentially, Guaman Poma ascribed the introduction of idolatry to the first Inca, Manco Capac, his notorious mother and wife, Mama Ocello, playing the role of Eve in this Eden story. Even so, the rule of the devil was mitigated by the apostolic mission of St. Bartholomew, who appeared in Peru during the reign of the second Inca, preaching the gospel and leaving a famous cross at Carabuco as his memorial. Moreover, although Guaman Poma condemned the Incas both for their tyranny and their idolatry, describing in some detail their annual sacrifice of both women and children, he also argued that in great measure their laws preserved the simple morality of earlier ages. Their care for the poor and crippled was superior to anything known in Christian Europe, as indeed was the severity with which they punished all transgressions of their code, adultery meriting the sentence of death. Then again, in his concluding section, Guaman Poma provided a description of the traditional agricultural year, with its cycle of monthly and seasonal tasks offering an image of the good life, of man working in harmony with both nature and his fellows, labouring for the common good, blessed by heaven. All this led to the exclamation:³⁶ *"How the Indians of old were much more Christian. Although they were pagans, they observed God's commandments and the good works of compassion. Apart from idolatry, they were Christians."* In effect, Guaman Poma thus identified Christianity as a form of natural religion, of what in other contexts was

defined as patriarchal religion, with observance of the natural law and worship of the one, true God, its defining characteristic.

In contrast to this ideal past, the present age was depicted as a world turned upside-down, with everything '*al revés*', or back-to-front. Here is no place to summarise Guaman Poma's mordant account of the Spanish conquest and of the exploitation that it brought. In a graphic image, he depicted the poor Indian surrounded by a dragon-serpent, a lion, a fox and a rat, all seeking to rend him apart, these animals rapacious symbols respectively of the district magistrate, the ennobled offspring of the conquerors, the parish priest and the native lord. All the agents of authority thus united to demand labour service, to sieze women, to steal goods and to quell all protests with violence. At the same time, Guaman Poma admits that many Indians had been corrupted, the men abandoning their families and lands, donning Spanish dress to become the retainers of their new rulers, the women seduced by Spaniards and Africans alike, breeding a new race of *mestizos*, all sections of society losing their former obedience to law and social hierarchy. At the end of each chapter of abuse and injustice, Guaman Poma concluded with the stoic refrain: "*And there is no remedy,*" adding "*God sends his punishment to every man and house in the world.*"³⁷

Needless to say, in his proposals for reform, laid out in a letter to King Philip III, Guaman Poma advocated a return to the laws and practices of the past, with Spaniards restricted to the towns and the Indians left to the government of their lords. Himself a member of the provincial nobility, Guaman Poma fixed upon the native elite as the class upon whom fell the task of cultural mediation. He suggested that they should wear Spanish clothes, learn how to read and write, and administer the laws of the Catholic king. It was from the same class that an Indian priesthood should be recruited, so that they could teach Christianity in a form comprehensible to the peasantry. Restitution of the ancestral hierarchy would enable the Indians to recover observance of their former virtues of obedience and social co-operation, personal restraint and compassion, which, enforced by strict punishment, had flourished under the Incas. In short, the image of the ideal future was to be found in the past, with Christian revelation simply supplementing or crowning the natural morality already known and practised since time immemorial, but which, subject to Spanish corruption, was now in danger of being forgotten. Construed in modern terms, Guaman Poma thus asserted that culture and religion occupied distinct spheres of human life and that conversion to Christianity did not have to entail abandonment of Andean tradition. Or, as St. Thomas Aquinas observed: "*grace did not have to destroy nature, but could fulfill it.*"

To measure the defiant character of Guaman Poma's proposals, turn only to *De procuranda salute indorum*, written in 1589 by José de Acosta, Jesuit provincial in Peru, who if admitting that Indian customs and language, where not harmful, should be preserved, never-

theless cited with approval the dictum that "*first it is necessary to take care that the barbarians learn to be men and afterwards to be Christians,*" with villages, houses, schools and churches all established in due hispanic order. Moreover, he argued that since the nature of the Indians was servile and their customs like those of children, it was necessary to employ the sanction of corporal punishment to compel them to attend mass and perform the duties demanded of them by Church and Crown. Acosta was at pains to attack the opinion, recently advanced by certain Jesuits, that it was possible to obtain salvation through implicit faith and a virtuous life, without ever receiving baptism or knowing of Christ's existence. Basing himself on St. Augustine and the Council of Trent, he argued that without knowledge of Christian doctrine and reception of divine grace through the sacraments, salvation was out of the question. Moreover, he spurned any suggestion that the Indians should be admitted to the priesthood as imprudent, they being mere neophytes, without either sufficient faith or indeed sufficient virtue, still more easily led by the whip than by instruction.³⁸

Once more, we encounter a powerful response in the *New Chronicle*. For although Guaman Poma described most parish priests as oppressors, he praised the Franciscans and the Jesuits for their virtue and love of the poor. Moreover, he conceived of the Christian gospel in Franciscan terms as essentially bringing relief to the poor and afflicted of this world, observing "*Our Lord Jesus Christ became poor and humble in order to gather and attract poor sinners.*" He interpreted his own career in similar fashion, nothing that in thirty years serving magistrates and the clergy, he had acquired unrivalled knowledge of native sufferings. "*And as a poor man among them, they revealed to me some their poverty and others their pride, of which were I to write of all that has occurred before me, in all the work of priests, magistrates, nobles and Indian lords, those who persecute the poor of Jesus Christ, at times it is a matter for tears and at times for laughter and at times for pity.*" In the same way that Christ, member of the royal house of Judah, had entered the ranks of the poor, so he too, a descendant of provincial kings, had lived among the poor so as to afford witness of their plight. "*It was for this that I made myself poor, (...) to learn how the rich and proud scorn the poor, so that it appeared that there was no justice or God for the poor. Yet it is clearly known from faith that where the poor are, Jesus Christ himself is; and where God is, there is justice.*" Comparing Peru to the land of Sodom and Gomorrah, he called upon his fellow-Indians to join with such prophets as Habbakuk and plead to God for mercy, exclaiming: "*O Lord, how long shall I cry and thou wilt not hear, even cry out to thee of violence and thou wilt not save.*" In these words, Guaman Poma implicitly identified his people as another Israel afflicted by a "*bitter and hasty nation,*" the Spaniards playing the role of the Chaldeans.³⁹ In short, Christian scripture and teaching were here invoked to offer collective comfort and personal assurance. With remarkable perception, Guaman

Poma had grasped that strand of secular subversion that lies at the heart of the Judaic tradition, applying it to Peru. It should come as no surprise to encounter a century later an appeal for an Indian Moses who would deliver the natives of Peru from the house of bondage.

V

In his *Grammar of Assent* Cardinal Newman argued that in addition to being the fulfilment of the Mosaic covenant, Christian revelation was also the completion of the often inchoate or distorted quest of natural religion:⁴⁰ "*As prayer is the voice of man to God, so revelation is the voice of God to man.*" In similar strain the great Jesuit savant of the seventeenth century, Athanasius Kircher, delved into the universal history of religion, tracing its origin to the hermetic wisdom and cultic corruption of ancient Egypt, all with the purpose of demonstrating the inner harmony of Catholic truth and pagan philosophy. So too, Jesuit missionaries in China discerned universal truths in the moral teaching of Confucius.⁴¹ Thus, although the Christian church sharply condemned the gods of polytheism as devils, nevertheless, it sought to satisfy the religious needs that had found expression in pagan rites. It was in recognition of the intrinsic relation between Christian worship and the natural impulse to prayer and sacrifice, that the mendicants in the New World laboured to enroll the American Indian into the religious practice of Spanish Catholicism. In this context, it must be recalled that the friars, as much as their disciples, inhabited a world where the limits between spirit and matter, magic and religion, nature and the supernatural, were not as sharply drawn as was to be the case in later centuries. If the Son of God had become man and the bread and wine of the Eucharist the body and blood of Christ, so too the material images that represented Christ and his Mother equally became invested with a numinous quality which at times formed the conduit of miraculous powers that issued in material cures and secular protection. After all, had not the Greek Fathers argued that the veneration paid to ikons was an affirmation of the reality of the incarnation? Nowhere did Tridentine Catholicism display greater its religious fertility than in the welcome it accorded to the myth and cult of Our Lady of Guadalupe.

The written evidence for a reconstruction of Indian religion after the conquest is fragmentary and all too often derived from Spanish sources. Every province and each century has a different story to tell. Apart from the idiosyncratic accounts of a Guaman Poma or an Antonio Pérez, the materials deal mainly with questions of collective practice. Nevertheless, the evidence presented in this chapter suggests that Christianity in the form of late medieval hispanic Catholicism certainly impinged on the minds and hearts of the Indian population of Spanish America. Notwithstanding the survival of shamanistic folk-healing and pre-Hispanic cosmological assumptions, there slowly

emerged a religious cult which can only be defined as native or Indian Catholicism, a cult which bore remarkable similarity to the devotions and practice of popular religion in Europe. In recent years historians of the Ancient World have stressed the radical fissure which separated classical and Christian religious life: is there any reason to doubt that a similar fissure came to divide the public cult of the conquered Indians from the religion of their ancestors? If the process of evangelisation, or, best to say, assimilation of Christian practice was slow, variegated and idiosyncratic, it was none-the-less a reality.

ENDNOTES

1. *Don Diego Quijada Alcalde Mayo de Yucatán, 1561-1565. Documentos*, France V. Scholes and Eleanor B. Adams, eds. (2 vols., Mexico City, 1938), I, 169-184, 289-331; II, 213-214. See also Inga Clendinnen, "Landscape and World View: The Survival of Yucatec Maya Culture under Spanish Conquest," in *Comparative Studies in History and Society*, 22 (1980), 374-393.

2. Josyane Chinese, "Anónimo de Yuacay 1571: Dominio de las Ingas en el Peru y del que Su Majestad tiene en dichos reynos," in *Historia y Cultura*, 4 (Lima, 1970), p. 119.

3. See D. A. Brading, *Prophecy and Myth in Mexican History* (Cambridge, 1984), 24-25.

4. Partha Mitter, *Much Maligned Monsters. History of European Reactions to Indian Art* (Oxford, 1977), 9-24. H. R. Trevor-Roper, *The European Witch-Craze in the Sixteenth and Seventeenth Centuries and other Essays* (New York, 1969), 1-46.

5. Andrés Pérez de Ribas, *Historia de los triumphos de nuestra Santa Fe entre gentes las más bárbaras y fieras del nuevo orbe; conseguidos por los soldados de la milicia de la Compañía de Jesús en las misiones de la provincia de Nueva España* (Madrid, 1645), unpaginated introduction. Since this lecture was delivered there has appeared: Sabine McCormack, "Pachacuti. Miracles, Punishments, and Last Judgment: Visionary Past and Prophetic Future in Early Colonial Peru," in *American Historical Review*, 93:4 (1988), 960-1006; Adriaan C. van Oss, *Catholic Colonialism. A Parish History of Guatemala, 1524-1821* (Cambridge, 1986); Louise M. Burkhart, *The Slippery Earth. Nahuatl-Christian Moral Dialogue in Sixteenth-Century Mexico* (Tucson, 1989).

6. Robert Ricard, *The Spiritual Conquest of Mexico* (Berkeley and Los Angeles, 1966). Burkhart, *Slippery Earth*, *passim*.

7. George Kubler, *Mexican Architecture in the Sixteenth Century* (2 vols., New Haven, 1948), *passim*.

8. *Colección de las memorias o relaciones que escribieron los virreyes del Peru*, Ricardo Beltrán y Rozpide, ed. (2 vols., Madrid, 1921), I, 89.

9. *Códice Mendieta: documentos Franciscanos del siglos XVI y XVII*, Joaquín García Icazbalceta, ed. (2 vols., Mexico City, 1892), II, 173; Bede, *A History of the English Church and People* (London, 1955), 86-71.

10. Juan de Palafox y Mendoza, *Tratados Mejicanos* (2 vols., Madrid, 1968), I, 195-208.

11. *Códice Mendieta*, II, 173.

12. Juan de Grijalva, *Crónica de la orden de nuestro padre San Agustín en las provincias de la Nueva España* (Mexico City, 1624), 69-74, 82-86; Francisco de Florencia, *Zodíaco Mariana ... de las más célebres y milagrosas imágenes*, Juan Antonio de Oviedo, ed. (Mexico City, 1755), *passim*; Alonso de la Rea, *Crónica de la orden de nuestro santo padre San Francisco, Provincia de San Pedro y Pablo de Michoacán en la Nueva España* (Mexico City, 1643), 18, 39-45, 85-87.

13. Nancy M. Farris, *Maya Society under Colonial Rule* (Princeton, 1984), 286-352.

14. Peter Brown, *The Cult of the Saints* (London, 1981) William Christian, *Local Religion in Sixteenth-Century Spain* (Princeton, 1980), *passim*.
15. Antonio de la Calancha, *Corónica moralizada del orden de San Agustín en el Peru*, Ignacio Prado Pastor, ed. (6 vols. Lima, 1974-1981), II, 622.
16. Alonso Ramos Gavilán, *Historia del célebre santuario de Nuestra Señora de Copacabana y sus milagros e invención de la Cruz de Carabuco* (Lima, 1621), 28, 102, 184-213.
17. Jacques Lafaye, *Quetzalcóatl and Guadalupe* (Chicago, 1976), 211-301; D. A. Brading, *The Origins of Mexican Nationalism* (Cambridge, 1985), 12-14.
18. Archivo Casa Morelos, XVIII, 648, Vicente de Loredó, 31 March 1788.
19. This case is to be found in Archivo General de la Nación, Mexico, Ramo Historia, vol. 437, and is cited in D. A. Brading, "Tridentine Catholicism and Enlightened Despotism in Bourbon Mexico," in *Journal of Latin American Studies*, 15 (1983), 1-22.
20. See John B. Glass, "A Survey of Native Middle American Pictorial Manuscripts," in *Handbook of Middle American Indians*, Robert Wauchope, ed. (15 vols., Austin, 1964-1975), XIV, 3-80; also, Robert Haskett's essay in this volume.
21. *The Codex Pérez and the Book of Chilam Balam of Maní*, Eugene R. Craine and Reginald C. Reindrop, eds. (Norman, Oklahoma, 1979), 88-90, 143, 182-185.
22. Ralph L. Roy, *The Book of Chilam Balam of Chumayel* (Norman, Oklahoma, 1967), 79.
23. Victoria Reifler Bricker, *The Indian Christ, the Indian King. The Historical Substrate of Maya Myth and Ritual* (Austin, 1981), 22-24.
24. Roy, *Chilam Balam of Chumayel*, 107-109, 157.
25. Serge Gruzinski, *Les Hommes-dieux de Mexique. Pouvoir indien et société coloniale, XVIe-XVIIIe siècles* (Paris, 1985), 25-56, and, *La colonisation de l'imaginaire. Sociétés indigènes et occidentalisation dans le Mexique espagnol: XVIe-XVIIe siècle* (Paris, 1988).
26. Ricard, *Spiritual Conquest*, 272-273.
27. Gruzinski, *Hommes-dieux du Mexique*, 113-177.
28. Bricker, *Indian Christ*, 55-69, 119-125; see also, Robert Wasserstrom, *Class and Society in Central Chiapas* (Berkeley and Los Angeles, 1983), 78-86.
29. Nelson Reed, *The Caste War of Yucatán* (Stanford, 1964), *passim*; Bricker, *Indian Christ*, 86-118, 187-218.
30. Calanche, *Corónica moralizada*, I, 292-296; III, 906.
31. Steve J. Stern, *Peru's Indian Peoples and the Challenge of Spanish Conquest. Huamanga to 1640* (Madison, 1982), 51-71.
32. *Dioses y hombres de Huarochiri*, José María Arguedas, ed. (Lima, 1966), 69-71, 117-123.
33. Felipe Guaman Poma de Ayala, *El primer nueva corónica y buen gobierno*, John V. Murra and Rolena Adorno, eds. (3 vols., Mexico City, 1980), continuous pagination, 338, 896, 1008. There is a facsimile edition of the manuscript edited by P. Rivet, Paris, 1836. For background see *Ideología mesiánica del mundo Andino*, Juan M. Ossio A., ed. (Lima, 1973), 153-216.
34. Raúl Porras Barrenechea, *El cronista Indio Felipe Huaman Poma de Ayala* (Lima, 1948), 69.
35. Guaman Poma, *Nueva corónica*, 39-45, 53.
36. Guaman Poma, *Nueva corónica*, 63-64, 70-72, 804.
37. Guaman Poma, *Nueva corónica*, 95, 380, 654.
38. José de Acosta, *Obras completas* (Madrid, 1954), 68, 87-88, 403-410.
39. Guaman Poma, *Nueva corónica*, 533, 620, 662, 845-846, 850.
40. John Henry Newman, *A Grammar of Assent* (New York, 1947), 307, 371.
41. R. J. W. Evans, *The Making of the Habsburg Monarchy 1550-1700* (Oxford, 1979), 432-446; Matteo Ricci, *China in the Sixteenth Century. The Journals of Matteo Ricci*, trans. Louis J. Gallagher (New York, 1953), 93-94.

Indian Confraternities, Brotherhoods and *Mayordomías* in Central New Spain

A LIST OF QUESTIONS FOR THE
HISTORIAN AND THE ANTHROPOLOGIST

SERGE GRUZINSKI*
*Centre de Recherches sur le Mexique,
l'Amérique Centrale et les Andes,
C.N.R.S., Paris*

To study the Indian confraternities in New Spain is not an easy task. Everyone knows the difficulties one encounters in this endeavour. The written documents left by Indians confraternities - *constituciones*, *libros de cuentas*, *patentes* - generally reveal what I would call the façade of the institution, the outside, that which complied with ecclesiastical law and adhered to Spanish official patterns. Much of the inside, the Indian zone, is generally ignored except when wills, inquiries or law suits give us detailed accounts of what was really going on in those confraternities. It is needless to stress this such 'silence' of the documents concerns not only Indian confraternities but also most of the manifestations of the Indian cultures under Spanish rule.¹ That is why I shall confine myself to analyzing two points that seem to me of particular interest. First, I shall seek to suggest the great diversity and flexibility of the institutions that are called *cofradías*, *hermandades* or *mayordomías*. Secondly I shall consider two main features common to all these institutions: the consumption of food and the cult of the images of the saints.

CONFRADIAS, HERMANDADES AND MAYORDOMIAS

The role of Indian confraternities in the 'Spiritual Conquest' of New Spain is well known. Very early on the mendicant friars established confraternities and hospitals. These European institutions were conceived as the best means of strengthening the newfound Christianity

* I am grateful to Prof. David Brading, Prof. William B. Taylor and Dr. Eileen Corrigan for their invaluable linguistic help. The paper was originally read in Cambridge, 1986.

of the Indians -what the Franciscans called their *policia cristiana*. Confraternities would serve to acquaint the Indians with the obligations, sacraments, rites and devotions of Roman Catholicism.² These confraternities were organized according to written constitutions, imposed by the friars or by the secular clergy. For instance, it was stipulated in 1577 that the Cofradía de Nuestra Señora de la Concepción in Coatlán (Real Minas de Taxco) would elect two *mayordomos*, two deputies, and one *escribano* (scribes). The *cofradía* had to celebrate all the feasts of Nuestra Señora de la Concepción. Every time a mass was read, the *cofrades* (members) would attend with candles painted with three crowns. Three or four *cofrades* were to help the dying to 'die properly' and all the members should attend the funeral. Misbehaviour, drinking, concubinage were punished with expulsion and the income of the *cofradía* had to be used for religious purposes exclusively. The *cofradía* had to observe its 'constitutions' which were written in Spanish and Nahuatl, though the *pueblo* spoke Chontal.³ In short, Indian *cofradías* were in the beginning an instrument, a medium of acculturation and of diffusion of the Christian way of dying and of the cult of the Virgin. At the same time they could offer a psychological and material response to the epidemics that decimated the Indian population in the second half of the sixteenth century. Needless to say that these confraternities were kept under the close control of the secular or regular church which organized and supervised their activities.

By the end of the sixteenth century there were already many confraternities of this kind in Mexico City.⁴ But their number increased during the seventeenth century throughout New Spain. In the archbishopric of Mexico there were several hundred of them and it seems that in some *pueblos* all the Indians, or almost all of them, belonged to a confraternity. The same situation prevailed in Michoacán where the hospitals -founded in the sixteenth century and ruled by *priostes*- were very active at that time.⁵ Some confraternities provided a steady income for the regular clergy thanks to the payment for the masses that were celebrated. Others became more and more autonomous insofar as the power of the regular clergy declined -I am thinking of the gradual secularization of the regular parishes- and Indian *pueblos* took hold of an institution they considered to be an element of stability, continuity, cohesion and collective identity.

As Charles Gibson noticed, Indian confraternities became a way of expressing a collective identity against the Spaniards and *castas* who were excluded from them or could not be elected either *mayordomos* or *oficiales*.⁶ Indian *cofradías* provided the Indians with a feeling of material security based on the land, cattle and funds they owned and which were considered to be the exclusive property of a saint. But it is also obvious that confraternities constituted a channel of influence, an instrument of domination for all the *caciques*, *principales*, *gobernadores*, or *fiscales* who administered the incomes, collected the fees, built chapels, bought images and ornaments, lent the money necessary

to celebrate the feasts for these men were not answerable to the rest of the community or to the parish priest. We know, for instance, that in the mid-eighteenth century north of the modern state of Guerrero no more than fifteen percent of the incomes of the *cofradías* went to the parish priest.⁷ Such economic autonomy greatly displeased the church and the clergy, who very often complained that they were entirely excluded from the administration of the confraternities and often denounced the *absoluto dominio* that the leaders of the community tried to maintain. In short, Indian *cofradías* were rather complex and rigid institutions whenever they followed the Spanish law (that is to be found in the *Ley 25, tit^o 4, lib. 1^o* of the *Recopilación de Indias* or, for instance, in the *Real Cédula* of 18 september 1776). They had to keep archives, accounts and records of foundation, to draw up lists of members and to comply with a detailed calendar of celebrations and masses. In the long run, '*con el discurso del tiempo*', many of them misplaced their *constituciones* and *ordenanças*, provoking many difficulties with the church.

Other forms of confraternities, although less formal or even founded without official approval -*sin formalidad, sin autoridad alguna*-, seem to have played an important part in Indian and culture. As early as the end of the sixteenth century Mexico seems actually to have been overrun by Indian religious associations that proliferated without any control from the church. According to the Third Mexican Council there were more than 300 *cofradías* by 1585 and the uncontrolled expansion of these institutions alarmed the members of the Third Council.⁸

"En esta ciudad hay más de trezientas cofradías de indios, los cuales por cabeças echan derramas para el retablo o ymagen de su cofradía y todo lo que quieren para sus embriaguezes y comidas y piden limosnas so color de piedad para este efecto y tienen sus mayordomos y diputados en cuyo poder entra el dinero."
 ["In this city there are more than 300 *cofradías de indios*, the membership of which makes contributions towards their retablo or image of their *cofradía* and towards the costs of all their drinking and eating feasts whilst appealing for money, which is administered by their *majordomos* and *diputados*."]]

During the seventeenth century *mayordomías* and *hermandades* 'invaded' the rest of the country. An even greater number of Indians decided to found confraternities without asking for a license given by the bishop, the so-called '*licencia del ordinario*'. This way was easier and less expensive: in these cases "*no ai constituciones, reglas ni otra formalidad (...)*" ["(...) they have no constitutions, rules or other formalities."] in the words of the *Provisor de Indios* of the archbishopric of Mexico Miguel Primo de Ribera in 1772.⁹ The members did not find interpreters, pay expensive fees or spend time in long proceedings to be officially recognized. Moreover they escaped the control of ecclesiastical bureaucracy for, according to the Indians, the many *her-*

*mandades privadas, obras pias and devociones "no estaban sujetas al ordinario."*¹⁰ ["(...) did not belong to the bishop."]

The origin of a foundation could assume many different forms. At the very beginning, we often find the initiative of a person or of a small group, such as the legacy made by a *cacique*, a *principal*, *los antepasados* (ancestors) or even a mere *tributario* who left a piece of land (*solar*), a house or some cattle on a *ranchito* to one or more saints. The land could be rented, the cattle sold and the revenue was used for the maintenance of the image and the celebration of the feast of the celestial patron. For instance, in 1750 the *cacique* of Tlacotepec, in the Tehuacan valley, left a *ranchito* to the *Cristo* of the *Santo Entierro*. The income of the *ranchito* was used to pay for a mass every Holy Friday and to celebrate the feast of that Christ.¹¹ To administer the donation the parish priest might appoint a *mayordomo* or he might commit it to the *indio alguacil mayor de la iglesia* (a parish official). In other cases the heirs of the founder might keep the administration of the *mayordomía* and fulfill the obligations related to it. After several generations the family of the founder became extinct or may have lost the *mayordomía* for other reasons. In such cases it was not unusual for other Indians to settle on land set aside for the saint and begin spontaneously -'voluntariamente', say the texts¹²- to take care of the cult of the image. It followed that the *mayordomo* and the deputies in charge of the administration of the *mayordomía* were chosen among these Indians, who were, so to speak, virtually squatters. Such was the origin of the *cofradía* of Nuestra Señora de Acambay, north of the Toluca Valley: here some fifteen or sixteen Indian families were living on the land given to the Virgin by a *principal* of the *pueblo* and they were accustomed to choosing from amongst themselves the *mayordomo* who had to pay for the mass celebrated for the Virgin. As long as he was in charge of this office, this *mayordomo* dedicated the entire profit of his work to the saint whose lands he was running: "*estos mayordomos no son otra cosa que los principales asistentes agentes al travaxo sin que por el suyo percivan nada en el año de su diputación.*" The sources do insist upon the informality and flexibility of this kind of association: "*Esta fiesta la costean sólo los indios de aquel barrio por su gusto, por su antojo, por su devoción y por cumplir con la institución de sus mayores (...).*"¹³ (Tlalnepantla; "*This fiesta is paid for by the Indians of the barrio by virtue of their will, commitment, devotion and their fulfillment of their elders' institutions.*").

But there were forms and types of foundations even more informal and modest. Two Indians who were relatives or *compadres* might decide to pay honor to an image they had bought from a *pintor* (painter) and pay for a mass and a procession. Four or five Indians might join together and decide to celebrate the feast of a saint they worshipped particularly. One of them would be elected *mayordomo* and he had to collect money for the saint with or without the license of the parish priest.¹⁴ In some other cases a group of Indians would set-

tle next to a small chapel, a poor *hermita*, and dedicate part of their work to the *servicio* of the *santuario* (in service of the sanctuary): according to the Spanish terms, "*se ofrecieron a la fábrica del santuario.*" ["(...) *they offered their services for the construction and maintenance of the sanctuary.*"] We have a good example of this with the expansion of the shrine of Tecaxique near Toluca in the seventeenth century. The Indians rebuilt the chapel and organized a collective cult to the Virgin of Tecaxique without any intervention from the church. The initiative was immediately denounced to the ecclesiastical authorities by some Spaniards who thought that they would be involved with idolatry ("*debían de estar en alguna idolatría*").¹⁵ This is a clear example of the autonomy and vitality which characterized Indian Christianity from the second half of the seventeenth century onwards. The same process might occur on a *hacienda*. In this case the foundation of a *cofradía* by and for the *servientes* of the estate was an excellent means of attracting new workers and of separating, or disconnecting them from the parish they came from. This seems to have been fairly frequent in the archbishopric of Mexico from the second half of the seventeenth century.

When the *mayordomía* gathered together a greater number of Indians, it often was transformed into a *hermandad*, a brotherhood. The next step was the official recognition, the solemn erection of a *cofradía*, but as we have seen, Indians rarely went that far for social, cultural and material reasons. They preferred to usurp the name without having to comply with all the legal and written obligations related to this institution. As a matter of fact, the Indians who belonged to these *mayordomías* and *hermandades* never received *patentes*. They did not pay any tax for their funeral, neither did they have masses celebrated for the dead. To consider themselves as *cofrades* -brotherhood members- and take part in the feast of the saint, they just had to live in the *barrio* or in the *pueblo*: "*su limosna se colecta entre ellos como abitadores del pueblo y no como cofrades.*" ("*The contribution is collected between them as village inhabitants and not as brotherhood members.*") The image of the saint, instead of being kept in the parish church, was more usually worshipped in a small chapel or even on a *santocalli*, a domestic altar. Although the church considered this worship to be only a *piadosa devoción* (pious devotions), which was scarcely tolerated, the Indians considered it to be a *cofradía* ("*con esto sólo ya la appellidan cofradía*"). In other words it is worth noticing how a European institutional structure, though strictly codified and organized, could be deformed, distorted and transformed by the Indian population into many kinds of organizations better adapted to their needs.¹⁶

Other *hermandades* were created to worship miraculous images. A private devotion to an image might become the origin, the cause of a collective and organized cult. In 1698, for instance, the son of a *cacique* from Ocotitlán agreed to deposit in the parish church an *Ecce Homo* he greatly venerated. It was a statue on which appeared a mi-

raculous bead of sweat. Later his descendants offered a *retablo* to the image, some land and some *agueyes*. In spite of the intrigues of other families, his descendants (*su linaje*) succeeded in retaining the responsibility for the management of the *mayordomía* until the beginning of the nineteenth century.¹⁷ In the eighteenth century one also finds cases of Indian *tributarios* who had bought images that were thought to have curative powers. The house of the owner soon became the center of a devotion that was more or less ephemeral; the faithful could bring candles, flowers and give some money. Other Indians offered themselves as the keepers or the sacristans of the miraculous image. Some urban devotions were promoted by small groups or devout individuals, and inspired by a miraculous engraving or painting that received alms and gifts from the passers-by in Mexico City, Puebla or Veracruz.¹⁸ It is impossible to describe this multiplicity of forms. In the Bajío (Michoacán), in San Miguel el Grande, for instance, we often find confraternities that were actually groups in charge of the celebration of the *Moros y Christianos* dances: they had a particular organization with *capitanes*, *maestros de campo*, *sargentos*, *alguaciles de la guerra*.¹⁹ Among the urban *cofradías* it is interesting to recall the role of the "*capilla a modo de hermandad o cofradía*" ("*a chapel as hermandad or cofradía*") of the Mixtecs in Mexico City, a chapel which was supposed to receive and to control the "*naturales extravagantes de las demás naciones que estan avecindados en esta ciudad.*" ["(...) native outsiders of other 'nations' who reside in this city."] It was at the same time a Dominican chapel with its *alguaciles mayores*, and a *cofradía* with its own *rector*. Needless to say that this chapel played an important part in the process of assimilation of the Indians moving to the city until its abolition in the mid-eighteenth century. Another institution had more or less the same function: the *Cofradía de la Circuncisión del Señor* that was established in the Jesuit College of San Gregorio.²⁰

There is no space in this short essay to outline a typology of the many forms of confraternities and *piadosas devociones* which all expressed Indian devotion, sociability and a wonderful capacity of adaptation to colonial society. It would be a difficult task for, as we know, many of these organizations existed on the fringe of official institutions and did not resort to keeping records of their activities, lists of members, *constituciones* and rules. Nevertheless it is important to emphasize the fact that these unofficial confraternities were extremely numerous. The *pueblo* of Tepotzotlán, close to Mexico City, at the end of the eighteenth century had 6 *hermandades*: those of the *Señor*, of San Sebastián, of San Miguel, of the Holy Cross, of San Ignacio de Loyola, and of the *Santo Entierro*, while there was only one *cofradía* which belonged to the Indians, that of the Rosario. At the end of the eighteenth century in the Zapotec area south of Antequera de Oaxaca, the same situation prevailed: in Ayoquesco there was no *cofradía* but there were 20 *hermandades*, that the priest called "*unas meras devociones*" ("*some simple devotions*"); in Lachixio we find two

cofradías and 6 *hermandades* and so on.²¹ This ratio of official to informal institutions was to be found in many *pueblos* in the archbishopric of Mexico and the bishopric of Oaxaca. It confirms the importance of the *hermandades* in Indian society and culture. For *hermandades* and *mayordomías* -as well as official *cofradías*- provided the Indians with a social structure flexible enough to avoid the domination of the church and to enable them to adapt themselves to changing local conditions.

The boundary between *devociones*, *mayordomías*, *hermandades*, and *cofradías* was by no means clear and, in fact, I do not think that these colonial and ecclesiastical distinctions were meaningful for the Indians. Local and ethnic traditions, the initiatives of the Indians and pressure from the church could promote or select one form or another. It is necessary to take into consideration the relationship between these different religious associations and the parish priest, who sometimes succeeded in controlling and ruling them. In other respects these different institutions often corresponded to different social groups: it is revealing, for instance, that the *caciques* and the local Indian nobility were the usual founders and benefactors of the *cofradías* while the *macehuales* (commoners) were more closely related to *mayordomías* and *devociones piadosas*. No doubt, it would also be interesting to compare and to contrast the *capellanía* founded by wealthy *caciques* as a long-term investment to the *mayordomía* insofar as these proceedings reflect two different conceptions of capital, of religious and social strategy.²² In many *pueblos* and *barrios* it was possible to equate *cofradías* and community. This was the situation that prevailed in sixteenth-century Michoacán, with its famous *hospitales*, or in the Zapotec region of Miahuatlán, Ocelotepec and Coatlán in the beginning of the seventeenth century: there we find a *mayordomo* who was a yearly elected official. His role was not only to take care of the religious feasts but also, more generally, of community revenues.²³ In Yucatán, according to Nancy Farriss, seventeenth and eighteenth-century *cofradías* operated as a substitute, even a synonym for *comunidad*.²⁴ But that was far from always being the case. Instead of serving as a substitute for the *comunidad*, Indian *hospitales* in the Bajío or *hermitas* in Oaxaca asked to be transformed into *pueblos de indios* and to elect their own *alcaldes* and *regidores*. In these cases the *pueblo* replaced the original religious congregation. But *cofradías* could dissimulate a quite different reality: in Oaxaca, according to William Taylor, late eighteenth-century Indian *cofradías* "may have served as a cover for clerical landholding in Indian communities".²⁵

It must be stressed that the diversity and complexity of colonial reality does not allow us to propose a stereotyped and excessively static view of these institutions, or to call them simply, as Nutini did, the *ayuntamiento religioso*.²⁶ In the second half of the eighteenth century many *cofradías* were receiving as their members both Indians, *castas* and Spaniards (under the rather inexplicit name of *vecinos* or *feligreses*), while an increasing number of Indian *cofradías* were ad-

ministered by Spaniards for otherwise they would have been vanquished and the divine cult would have suffered ("*pues de otra manera ya se huvieroan aniquilado y no pudiera subsistir el culto divino*"). Nevertheless, many Indian *cofradías* were abolished, 'extinguished', by the church and the enlightened state while others were reduced to the category of mere *mayordomías*. For the Indians who were invited to join Spanish *cofradías*, any room for autonomy and identity vanished, while for the others the path was open to even more uncontrolled and informal associations. It should be emphasized that the second half of the eighteenth century was a critical moment for these institutions. The existence of official and unofficial *cofradías* was constantly and violently criticized by the church and the enlightened state. In the nineteenth century the Independent Republic proved to be even more severe and disastrous with the *Ley Lerdo* and the *Leyes de Reforma*. Indeed documents which indicate that the *bienes de comunidad* were financing the feasts at the end of the eighteenth century and at the beginning of the nineteenth century, may have two different meanings:

- that the colonial *ayuntamiento religioso* and the confraternities were one and the same thing, and that their properties had been intermingled for a long time in the way Nutini proposed;
- or it may just mean that the *ayuntamiento religioso* had taken over the celebrations of the feasts of the saints because of the abolition of the majority of Indian *cofradías* and *hermandades* in the last decades of the eighteenth century and their reduction to the rank of *mayordomías*.²⁷

In any case it may be dangerous to continue to idealize and exaggerate the social, institutional and cultural homogeneity of the *pueblo de indios* and to minimize the internal divisions as well as the role of individual creation and dissent. We need additional information to know better how all these different institutions evolved from the sixteenth century in accordance with local resources and which of them were integrated into the system of civil and religious *cargos*. Precisely where and why did they constitute a specific institution distinct from the *república de los indios* and the offices related to the service of the parish? Were the same people to be found in all these offices? I believe that such questions might also be of interest to the anthropologist trying to interpret modern Indian reality.

LAS DEMANDAS: COFRADÍAS AND INDIAN MOBILITY

The study of Indian *cofradías* must not be limited to the framework of the community. Thanks to recent studies we now know that colonial Indian life was not limited to the territory of the *pueblo* as Nancy Farriss demonstrated for Yucatán. Indian *cofradías* can offer good examples of such mobility. Members of *cofradías*, *hermandades* and

mayordomías, whether official or unofficial, organized collections in order to pay for masses, sermons, feasts or to build or restore a shrine. Though these collections were first organized within the *pueblo*, they soon overstepped the boundaries of the town and expanded in the whole region. These collections, *demandas*, can be traced back to the beginning of the seventeenth century and seem to originate in Michoacán. As early as 1606 the *mayordomos* of the *ermita* of San Diego in Tlalmanalco asked the *provisor de Indios* for a license to collect money to adorn their chapel and holy image ("*licencia para que puedan pedir y pidan limosna para el adorno de la dicha capilla e ymagen*"). In the eighteenth century, many Indians were sent to solicit funds in the name of a *hermandad* or an image. They crossed the heart of New Spain visiting *pueblos* and *estancias*. That is why it was not unusual to meet *mayordomos* from Mexico City and its neighborhood in the Valleys of Mexico, Toluca, the provinces of Cuernavaca and Taxco, even the region of Michoacán. Surrounded by musicians, the collectors carried the image in a reliquary; people gathered to welcome them, dances were organized, while holy images, *rosarios*, and small jewels were sold by the collectors. Thanks to the sales and the alms they received the funds of the saint slowly increased from village to village.²⁸

It is true that the Indians had to ask for a license from the *provisor de Naturales* and to obey the parish priests and ecclesiastical judges of the *pueblos* they visited. In theory at least. As a matter of fact the practice changed along with the people, time and place. Free to choose their itinerary, these Indians could not be supervised. They could misappropriate important sums and spend the money however they wanted to. They used to bargain over the price of their stay with the local authorities. That is why, I think, they embodied perfectly the dynamics, mobility and expansion of Indian Christianity, a Christianity that overlapped the usual boundaries of the *barrio* and of the *pueblo*. Some of these *mayordomos* were *caciques* and *principales*, but more often they were *indios tributarios* including women. Contacts made here and there, personal relations, hospitality, meetings and feasts must have created religious links and social networks. Perhaps these networks were as important as those created by the famous pilgrimages. Moreover, thanks to the mobility of the collectors and to the multiplicity and unpredictability of the itineraries, these networks easily eluded any control imposed by the church and the state. Once more it would be interesting to distinguish the role of individual initiatives and collective practice, and to have details on the motives of these Indians, in order to outline the religious, political or economical background of their activities. In any case this practice was frequent enough to frighten and alarm the 'enlightened' authorities who decided to restrict and forbid this kind of collection by the end of the eighteenth century.²⁹

COMIDAS AND BORRACHERAS

Because the economic aspects of these associations are analyzed by Prof. Lavrin in this volume, I will follow another path, somewhat less studied by historians. Far from being interested in institutional distinctions and legitimations, it seems that Indian *cofradías* combined two main fields, two spheres of mixed and syncretic origin; namely, on the one hand, festive eating and drinking and, on the other, the celebration of the images of the saints. There was thus a primary common feature to all these forms of *cofradías*, whether they were formally or informally established. They were all related to a collective and heavy consumption of food and drink, *borracheras*, *embriagueces*, *banquetes* and *convites* that the priests, the church and the Crown constantly criticized. This tendency was condemned early on in the sixteenth century. The constitutions of the *cofradía* of Coatlán stipulated that the members "*no saquen ninguna cosa de la dicha cofradía para comidas ni banquetes ni se gaste en fiestas cosa ninguna más.*" ["(...) not use anything from the said *cofradía* for meals or banquets, nor spend any more (than they already do) on fiestas."] As early as 1585 the Third Mexican Council denounced the *embriagueces* that seemed to be the main concern and activity of the Indian *cofradías* in Mexico City. For the Church these excesses were to be condemned. They were considered to be *abusos*, the sin of gluttony, a perversion of the Christian feast.

It is important to stress the sacred and pre-Hispanic background of these practices before they came to be associated with the cult of the saints.³⁰ The ritual and collective consumption of food in connection -it must be noted- with dancing (*baile*, *mitote*) was so important that it allows one to understand the meaning of the pre-Hispanic feast and to distinguish the nature of one celebration from another. It is no wonder that in the colonial period festive eating and drinking -and their opposite, fasting- still played an important part in the religious life of the Indians, in their physical communications and exchanges with God, the saints or the old deities. It is not entirely by chance that the cattle, the *magüeyes* and the maize belonging to the saint provided the food and drink that were consumed at his feast. Food and drink created and maintained a relationship both with the saints and between the members of the community. As a matter of fact Indians from the region of Zacualpan explained that the meat eaten during the feast of the *hermandad* was to be served to the elder ("*para que coman los viejos*") an explanation that confirmed the social dimension involved in festive eating and drinking.³¹ That is also why ritual eating and drinking, even more than the *cofradía* segregating rules, helped to maintain an existential separation between Indians and non-Indians. They created a specific way of being together and of feeling, a peculiar and collective receptivity to the surrounding world.

In other words, through their diverse and varied forms Indian confraternities provided a social and institutional framework, a material space where part of this essential and traditional activity could still take place and be ritualized and codified. It would be necessary to analyze better the '*potlatch dimension*' of such meetings and to compare them with Spanish equivalents -such as those studied, for instance, in Galicia and Andalusia.³² However, it seems that in many respects this cultural expression, as an original manner of relating to the divine, was much more primordial and primeval than their equivalents in the Spanish celebrations and therefore specifically indigenous. Besides this, it is evident that these practices evolved and changed in the long term and that these feasts constituted a transitory space. Ritual drinking still prevailed in the *pueblos* rather than modern forms of alcoholism while in the cities, on the *haciendas*, *ingenios* and *trapiches* pathological consumption might have been more obvious and frequent.

THE IMAGES OF THE SAINTS: NATURE OF THE RELATION

The consumption of food with its different stages, its many dimensions and meanings represents a field in which human thought and culture do not express themselves through speech. The same happens with the many objects that surround men. We have just seen that all these forms of Indian devotions, collections and associations were based on the cult offered to an image. Nevertheless it would be wrong to reduce this image to the rank or the status of a mere material object. It was endowed with a power of attraction, evocation and crystallization that cannot be ignored. Even though it is not at all easy to specify the nature of the relations of the Indians with the images of the saints.

As is well known, Christian saints penetrated Indian daily life on at least two different levels. First of all, there were the saints of the *pueblo* and of the *barrio* imposed by the friars or chosen by the Indians according to rather ambiguous or syncretic motivations that Diego Durán and some *títulos primordiales* described quite accurately in the sixteenth and seventeenth centuries.³³ But, apart from this collective and massive introduction, we must not forget another, somehow later, but perhaps more important state regarding the process of assimilation and interiorization of this new deity. Images of the saints appeared on the domestic altars or *santocalli* of the Indians. They became part of the family patrimony and, as such, part of its legacy. According to the Third Mexican Council and the Holy Office, as early as the end of the sixteenth century and the beginning of the seventeenth century "*los indios (...) conservan multitud de efigies de Christo Nuestro Señor, su Santísima Madre y santos.*"³⁴ ["(...) the Indians (...) have retained a multitude of effigies of Christ Our Lord, the Virgin Mary and other saints."] It is enough to read wills made by

indios tributarios in the eighteenth century to appreciate the attachment of the Indians to these paintings and statues. An Indian might leave some land and ask his children to serve the Holy Trinity, Jesús Nazareno, San Pedro, the Virgin of Guadalupe, San Antonio, the Virgen de los Remedios. Others, when they had no land to offer, just left some tools, an ax or a team of oxen. According to the provisions of these wills, the income of the work done with these tools was to be offered to the images in order to pay for candles, flowers and incense.³⁵

It may be interesting to compare this attachment, this personal bond with a practice the Nahuas of present day Morelos and Guerrero still observed at the beginning of the seventeenth century. As far as we know, they used to put or to hide on their domestical altars bundles of sacred objects of pre-Hispanic origin. These *idolillos* were related with the *linajes* that were dwelling or had dwelled in the house. They were kept close to the new images of the saints. The Indians were so dedicated to them and respectful to these *idolillos* that they generally refused to give them to the Catholic priest. Chosen by an ancestor, 'el cabo del linaje', or by some other leader of the domestic group, these small figurines and dried plants were thought to possess a force on which depended the prosperity of the home. But as Indians had died in the epidemics, as *pueblos* were abandoned and houses destroyed, many of these *idolillos* were lost as well as the memory of the past. Little by little the images of the saints displaced the pre-Hispanic *sacra* with which they had coexisted for decades. But, and this is the main point, it seems that Christian images retained some of the characteristics of the *idolillos*.

The housealtars kept most of the attractive power of the older *sacra*: the Indians committed part of their possessions to the cult of the image, to its maintenance and adornment. They made offerings and celebrated feasts. They often refused to give them up to a chapel or to a church and this attitude too seems to have been traditional for it was strictly forbidden to move the *idolillos* from their place and even to touch them.³⁶ It is possible that the extreme possessiveness displayed by the members of the *mayordomías* originated in part from the ancestral attitude of the owners of *idolillos* (also called *tlapialli*). I am thinking, for instance, of expressions such as "*mis santos, mi Señora de la Concepción, mi Señora de Guadalupe*" that are to be found so often in many Indian wills. In other words, the attachment to these family images seems to be one of the sources and references of the intense bond that existed between the members of the *mayordomía* or *hermandad* and the image of the saint.

In other respects, even if some images might have become a cause of conflict between families or members of the family, it is important to notice that the solidarity within the household was based partly on the collective worship of the image. Just as the *idolillos* had been associated with the continuity of a *linaje*, the new image was the origin of a chain of obligations, of *cargos*, that everyone in the family was

obliged to fulfill.³⁷ At the same time the domestic image became an embodiment of the **memory** of the household, or -more exactly perhaps- a materialization of past and 'immemoriality'. The same occurred within the *cofradías* the images of which were usually said to be worshipped from time immemorial ("*desde immemorial tiempo*").

Nevertheless it is true that the very **nature** of the relation to the god changed, as well as the concept of deity. The saint was no longer a name given to a force, a collection of objects, plants, figurines and small jugs that were not assimilated to persons. The saint was a person with whom the possessor or the *cofrades* had family relations. The saint was the father, the *santa* was the mother of the faithful, just as the latter could be given godfathers or godmothers, *padrinos* and *padrinas*. Some Indians asked to be buried close to the saint they venerated most: "*ha de ser sepultado mi cuerpo en la iglesia parrochial (...) en frente de Jesús Nazareno de capilla, que soy hermano del Señor.*" ["(...) *my body should be buried in the church in front of the chapel of Jesús Nazareno, for I am the brother of the Lord.*"] This physical propinquity to the dead was quite similar to that of the living with his saint.³⁸ So the adoption of figurative Christian images not only implied an anthropomorphism of the deity, but also conveyed a personalization of the divinity and a family dimension added to the relationship between the devout and the saint.

In other respects it involved a **publicizing** of the image that seems specific to Christianity for pre-Hispanic images were not so easily offered to the view and veneration of the profane. Think of the processions of Holy Week, of Corpus Christi that constituted very important moments for displaying and exhibiting the image. Think above all of the multiplication on a large scale of the Christian images that were copied, engraved and carved at the instigation of the colonial church. This relationship might have been even more intense when the *santos* were associated with miracles and prodigious cures. Many images could '*renovarse*', they could move, walk, cry, sweat and bleed like human people. In this way a private image might become the center of a local devotion, give birth to a *mayordomía* and, if it proved to be very efficient and popular, become the origin and the core of a pilgrimage. In this case the building of a chapel or the celebration of the feast proved to be an affirmation of prestige and power in relation to other groups and *pueblos* that were not so well protected. The possession of the image could be claimed at any rate against the Spanish and the church, as it happened in the *cofradía* of a Immaculada Concepción of Cuautitlán.³⁹ When the Spanish priest decided in 1786 to take the image out of the parish, the Indians immediately protested and proclaimed that the image was their own property: "*this image,*" they said, "*did not belong to any Spaniard, it belonged to the naturales*" ("*es propia de los naturales*"). The antiquity of the image -*venerada desde immemorial tiempo/venerated since times immemorial*-, their obedience to the Virgin who was their *patrona*, the many miracles, the burying of the *cofrades* in the chapel, the official

recognition by the archbishop, all these elements expressed the interiorization of the relationship to the saint: the image embodied and materialized an exceptional link with the past and memory, death and afterlife, society and supernatural.⁴⁰

The image was a source of power and prestige for its possessor as well as for the group who kept it. Moreover the owner or the group might be tempted to impose their saint and substitute it for the *santo patrono* of the *pueblo*, even if this decision provoked strong resistance in the community. That is why it may be useful to analyze the nature and the intensity of the bonds created and maintained by the image of the saint, in order to understand better the success of the many institutions the saint protected. Note that these bonds were economical, psychological, affective more than openly ideological insofar as neither the Indians nor the priest made explicit statements about the meaning and nature of the image.

THE IMAGE AS AN OBJECT

This social, economic and affective network created by Christian images was based upon the singularity, the peculiarity of the object that we call an image and that the Indians designated a *santo*. In fact the *santo* never appeared as a material object, such as a statue or a painting. The *santo* was never said to represent another being beyond itself or to be the effigy of something or somebody else. The Indians did not normally distinguish between the saint and his material representations since that kind of distinction seemed meaningless for them. The image was the saint or also, even if it sounds like a tautology, the saint was the saint. It was a self-contained entity. That is why the *santo* was not just an object endowed with prophylactic and therapeutic functions and social meanings, nor was it just an object possessing a divine power.

Instead of just reducing the images of the *santos* to their many significations and functions, and in order to understand better the popularity of their cults and that of confraternities, I prefer to adduce that the saints were in a way multiple and recurrent "*instruments of evocation*."⁴¹ They were part of the social and cultural device (*dispositif*) by which colonial Indians conceived and enacted Christianity. More generally speaking, I would say that the *santos* were one of the media, the *support* through which New Spain's Indians invented, built and ordered their own reality from the seventeenth century onwards. The *santos* were part of a symbolic, social and material framework of fabric that made real and manifest, plausible and credible, the institutions, beliefs and practices imposed on the Indians and assimilated by them. They contributed to making coherent and to unifying the heterogeneous elements that constituted colonial Indian daily life, such as chapels, rituals and ceremonial stagings, music and dances, liturgical time, Christian symbols and beliefs, social codes of eating

and drinking, social beings and social relations (the Spanish priests), the land and the house, death and so on... The *santos* played a significant part in structuring relationships between conscious and unconscious sociocultural features introduced by the Spanish conquest or inherited from the pre-Hispanic past. In other words, Indian Christianity reproduced itself and determined the way the Indians perceived the world very largely through this omnipresent and recurrent *support*, through that peculiar relationship to the divine everywhere introduced and made present, obvious and manifest by the image of the saint.

FROM CONFRATERNITIES TO SECTS

It is worth remarking that sometimes the manipulation, the appropriation of the images and the use of the liturgical objects related to them, greatly overstepped the limits of orthodox and folk Christianity. Such was the case whenever the confraternity became a kind of sect, that is, a closed group of Indians sharing specific practices and beliefs intimately related to the images they kept. Gathering at night a chapel or a house, these Indians created syncretic rituals, devoted themselves to Holy Death (*Santa Muerte*), organized nightly processions and took hold of the liturgical ornaments belonging to the church in order to acquire or retain the symbolic and political leadership of the group (for instance, the office of *gobernador*). I believe that such extreme cases as appeared in the valley of Toluca, Querétaro, Guanajuato, Morelos or Oaxaca, corroborate two main potentials of Indian confraternities, even if they rarely manifested themselves in such a spectacular way: first, far from being just an instrument of collective identity and cohesion, Indian confraternities could be used as a powerful instrument to strengthen the influence of a faction over the rest of the community; second, Indian confraternities constituted a quite appropriate place for the elaboration of Indian forms of Christianity that might break with church rituals and dogmas, add new cults (for instance, the *Santa Muerte*) and mix in practices of collective witchcraft and even some form of heresy. Christian images, for instance, were completely subdued, the *santos* were whipped by the faithful or worshipped in connection with other figurines made of paper which were adored and kissed as if they themselves were the gods concerned. ["(...) *que adoran y besan como si fueran el mismo dios.*"] And to give a short quotation to illustrate a ritual enacted in one of these secret meetings:⁴²

"a la santa muerte cogen estos con un mecate nuevo mojado y la amarran fuertemente para que les haga el milagro de darles la bara de gobierno, amenasándola que, si no les hace el milagro, la han de azotar o la han de quemar (...)".

Once more symbolic and material presence of the image, the intense relations with the saint, were quite essential insofar as they originated

new cultural forms. Thus they became the core of an underground sociability that seemed to reject the colonial order.

The next and last step -which I studied in an earlier work⁴³- is the personal and individual access to divinity, when the leaders of Indian confraternities and collective *devociones* become God or man-gods and saints. There are good examples of this process in the second half of the eighteenth century with the Nahuatl (southeast of the valley of Mexico) or with the Otomí of the *Sierra* of Puebla. There images and men mixed, allowing these groups to appropriate completely -though in a symbolic way- the religion of the Spaniards. We find such attitudes among *curanderos* who wanted to strengthen their prestige and fame. But in some cases it appeared that Indian sects and their divine leaders rediscovered European millenarianism and messianism and succeeded in creating a complex and total reinterpretation of time, space, society and history.

In conclusion, Indian images of saints and the associations created in connection with them must be studied as objects and social institutions produced by a specific and ever changing historical situation, that of the ongoing encounter of completely different cultures and societies in a colonial context. *Santos* and Indian confraternities are characteristic of cross-cultural areas dominated by the Western world. First introduced in an exotic reality in order to take control of it, they gradually were appropriated and assimilated by the natives; they penetrated their personal and social existence and became part of their individuality and of their collective life. The evolution of Indian confraternities could inspire an ethnohistory of contact not only based on the clash of religion, symbolic logic, discourses, institutions and rituals, but also concerned with the functioning, the operating and the dynamics of the objects that appeared and emerged in cross-cultural contexts. Like Christian icons in the Byzantine and Islamic Near East and African fetishes on the West Coast visited by the Portuguese,⁴⁴ Mexican colonial idols and *santos* deserve careful research.

ENDNOTES

1. See, for instance, Charles Gibson, *Los Aztecas bajo el dominio español 1519-1810* (Mexico City, 1967, transl. from the English, 1964), 130-137; Héctor Martínez Domínguez, "Las cofradías en la Nueva España," in *Primer Anuario* (Jalapa, 1975), 45-71; William B. Taylor, *Landlord and Peasant in Colonial Oaxaca* (Stanford, 1972), 169-170; M. Teresa Sepúlveda y H., *Los cargos políticos y religiosos en la región del lago de Pátzcuaro* (Mexico City, 1974); Rosa María Igartúa, "Las cofradías en Calimaya a través de sus constituciones y otros documentos" (Tesis Lic., Universidad Iberoamericana, 1978); Guillermo Bonfil Batalla, *Cholula, la ciudad sagrada en la era industrial* (Mexico City, 1973).

2. *Códice Franciscano Siglo XVI* (Mexico City, 1941), 65-69; Toribio de Benavente Motolinía, *Memoriales o libro de las cosas de la Nueva España*, E. O'Gorman, ed. (Mexico City, 1971), 93; Juan de Torquemada, *Monarquía indiana*, Miguel León-Portilla, ed. (7

vols., Mexico City, 1977-1983), V, 340, and VI, 293-294. Regarding the *hospitals*, see Josefina Muriel, *Hospitales de la Nueva España* (2 vols., Mexico City, 1956); Carmen Venegas Ramírez, *Régimen hospitalario para indios en la Nueva España* (Mexico City, 1973); J. B. Warren, *Vasco de Quiroga and his Pueblo-Indians of Santa Fe* (Washington, 1963).

3. Archivo General de la Nación (hereafter AGN), Indiferente General, "Constituciones de la cofradía de Nuestra Señora de la Concepción," Coatlán (Real Minas de Taxco), March 1577.

4. Bancroft Library, Berkeley, Manuscript 268, "Memorial del doctor Ortiz de Hinojosa al III Concilio Mexicano," Mexico City, January 30, 1585; Torquemada, *Monarquía indiana*, V, 173.

5. Gibson, *Aztecas bajo el dominio español*, 130-131 (Valley of Mexico). For the bishopric of Puebla see, for instance, "Relación de la visita eclesiástica que hizo de una parte de su obispado (...) don Juan de Palafox y Mendoza, obispo de Puebla," August 22, 1643-1647, November 1643, Biblioteca Nacional de Madrid, Manuscript 4476. For the end of the seventeenth century many data are to be found in Agustín de Vetancurt, *Crónica de la provincia del Santo Evangelio de México. Cuarta Parte del Teatro Mexicana (...)* (Mexico City, 1697), *passim*. About the bishopric of Michoacán (1670-1680), see Sepúlveda, *Cargos políticos y religiosos*; and, for instance, Archivo del Instituto Nacional de Antropología e Historia, Mexico City, Archivo de la Casa de Morelos, Microfilm 762646, "Gobierno eclesiástico, vol. II. Libro de visitas por los ilustrísimos Fray Francisco Sarmiento de Lunas y Francisco de Aguiar y Seijas."

6. Gibson, *Aztecas bajo el dominio español*, 130; Sepúlveda, *Cargos políticos y religiosos*, 61. As early as the end of the sixteenth century many confraternities were founded with Spanish and Indian members but they were usually administered by Spaniards.

7. AGN, Bienes Nacionales, leg. 223, exp. 73.

8. see note 4 above.

9. AGN, Bienes Nacionales, vol. 230, exp. 5.

10. AGN, Bienes Nacionales, leg. 905, exp. 3. Regarding *obras pías* see, for instance, AGN, Bienes Nacionales, leg. 345, exp. 12.

11. AGN, Tierras, vol. 1874, exp. 2. See above note 9.

12. "Informe de Atotonilco el Grande" (September 15, 1777) in AGN, Indiferente General.

13. See above note 12: "Informe del cura Nicolás de Herrera," Acambay, October 6, 1777; AGN, Cofradías, vol. 18, exp. 26, f. 380; AGN, Tierras, vol. 1478, exp. 10.

14. Xalatlaco, see above note 12. See also AGN, Bienes Nacionales, leg. 420, exp. 19 (and below note 39).

15. Biblioteca Nacional de México, Colección Lafragua, vol. 954.

16. "Aunque les dan el título de ermandades, no lo son en realidad y sólo se reducen a colectaciones de limosna para el culto de sus respectivos patronos: para lo que anualmente se dedican voluntariamente algunos individuos que toman el título de mayordomos," "Los indios llaman de cofradías las missas que se celebran cada mes," see above note 12. The priest of Temascaltepec del Valle in September 1777 described "*hermandades sin autoridad ordinaria, sin más propios que los que ministra la piedad y devoción cristiana (...)*." see above note 12. See above note 9. About *cofradía* and *hacienda*, see, for instance, AGN, Ramo de Indios, vol. 8, exp. 28.

17. AGN, Tierras, vol. 2467, exp. 2.

18. Archivo General de Indias, Seville (hereafter AGI), México, vol. 716.

19. Arturo Warman, *La danza de Moros y Cristianos* (Mexico City, 1972). AGN, Ramo de Indios, vol. 59, exp. 195.

20. AGN, Indiferente General, "Los alcaldes, oficiales y demás naturales mistecos (...) al virrey Payo Enriquez de Rivera," Mexico City, 1679; BNM, Fondo Franciscano, caja 142, exp. 1741; AGN, Bienes Nacionales, leg. 1027.

21. See above note 12; AGN, Cofradías, vol. 18.

22. Serge Gruzinski, "Familias, santos y capellanías: Bienes espirituales y estrategias familiares en la sociedad indígena, siglos XVII y XVIII" (paper III Simposio de Historia de las Mentalidades, Instituto Nacional de Antropología e Historia, Mexico City, 1986).
23. "Relaciones geográficas de la diócesis de Oaxaca," in *Papeles de Nueva España. Segunda serie, Geografía y estadística*, Francisco del Paso y Troncoso, ed. (Reprint, Mexico City, 1980), 294, 304, 311. Also Prof. Lavrin's essay in this volume.
24. Nancy M. Farriss, *Maya Society under Colonial Rule. The Collective Enterprise of Survival* (Princeton, 1984), 265-266.
25. AGN, Ramo de Indios, vol. 36, exp. 129 (Salamanca) and 206 (Oaxaca); Taylor, *Landlord and Peasant*, 169.
26. Hugo G. Nutini, *Ritual Kinship. The Structure and Historical Development of the Compadrazgo System in Rural Tlaxcala* (Princeton, 1980), *passim*.
27. Serge Gruzinski, "La 'segunda aculturación': El estado ilustrado y la religiosidad indígena en Nueva España (1775-1800)," in *Estudios de Historia Novohispana*, 8 (1985), 175-201; Sepúlveda, *Cargos políticos y religiosos*, 70. It would be necessary to compare Mexican confraternities with Spanish ones, see, for instance, William A. Christian, *Local Religion in Sixteenth-Century Spain* (Princeton, 1980); Isidoro Moreno Navarro, *Propiedad, clases sociales y hermandades en la Baja Andalucía* (Madrid, 1972), 195-210, and *La semana santa de Sevilla. Conformación, mixtificación y significaciones* (Seville, 1982), 121-129.
28. AGN, Bienes Nacionales, leg. 732 (Tlalmanalco, 1606); Bienes Nacionales, leg. 1027 (Temascalcingo, 1634); Bienes Nacionales, leg. 976, exp. 21 (Hueychiapan, 1669).
29. AGN, Cofradías, vol. 18, *passim*, and exp. 8; AGN, Clero Regular y Secular, vol. 22, *passim*, and exp. 10:
"Es constante lo primero la indecencia con que se conducen las ymágenes en cajones sobre una bestia de carga como si fuera qualesquiera otro género o efecto de transporte. Tal vez son acompañadas de músicas profanas, mugeres sospechosas. Se ponen altares en casas particulares y aun -lo que es peor- en otros lugares en que la desemboltura y el vicio hacen ultraje a la devoción (...) los demandantes hacen comercio la colectación, pactando con los curas el salario o pensión que han de deducir (...). Ellos por común son gente vagamunda, combirtiendo muchas veces en su propio uso lo que juntan (...)."
30. In the words of Diego Durán: "*todos las fiestas de éstos era comer y en esto consistían y para comer y pedir de comer a sus falsos dioses se ordenaban (...) El día de la fiesta de aquel dios se convidaban unos a otros para la celebración de él y comían y gastaban los del barrio cuanto tenían (...). A la letra se hace el día de hoy [1570], sin faltar punto en las solemnidades de los santos"; see Diego Durán, *Historia de las Indias de Nueva España e Islas de la Tierra Firme*, Angel Ma. Garibay K., ed. (2 vols., Mexico City, 1967), I, 291, 235, 240, 243; *Descripción del arzobispado de México hecha en 1570* (Mexico City, 1897), 64.*
31. AGN, Indiferente General, "El cura, juez eclesiástico de Minas de Zacualpan Manuel Antonio Monquecho al provisor del arzobispado de México," Zacualpan, March 4, 1763.
32. Carmelo Lisón Tolosana, *Antropología cultural de Galicia* (Madrid, 1971), and *Belmonte de los Caballeros* (Oxford, 1966); Julio Caro Baroja, *Estudios sobre la vida tradicional española* (Barcelona, 1968); George M. Foster, *Cultura y conquista. La herencia española de América* (Jalapa, 1962).
33. Durán, *Historia*, I, 236; and my thesis "Le Filet Déchiré. Sociétés indigènes, occidentalisation et domination coloniale dans le Mexique central, XVIe-XVIIIe siècles" (Ph.D. diss., Université de Paris I, 1986), II, chapter XI, as well as my book, *La colonisation de l'imaginaire. Sociétés indigènes et occidentalisation dans le Mexique espagnol, XVIe-XVIIIe siècles* (Paris, 1988).
34. "Memorial del Doctor Hinojosa," see note 4 above; AGN, Indiferente General (Inquisición), "Borrador de un edicto del siglo XVII"; AGN, Inquisición, vol. 312, f. 97r.
35. AGN, Tierras, vol. 2616, exp. 7 (Tianguistengo, 1742): "*Ahora dexo un hijo mio que se llama Balthasar Antonio, le dexo un mi padre santo Christo para que le sirva, que le com-*

pre velas y copal y flores"; AGN, Tierras, vol. 2540, exp. 5 (Tenango del Valle, 1703): "A mi hijo Antonio Nicolás le dejo la casa con todos los santos y a Nuestra Señora la Virgen. Que les venere y sirva mi hijo Antonio Nicolás."

36. Hernando Ruíz de Alarcón, *Tratado de las idolatrías, supersticiones, ritos, hechicerías y otras costumbres gentílicas de las razas aborígenes de México* (Mexico City, 1953), 30-34; Jacinto de la Serna, *Tratado de las idolatrías, supersticiones, ritos, hechicerías y otras costumbres gentílicas de las razas aborígenes de México* (Mexico City, 1953), 93-95.

37. AGN, Tierras, vol. 2535, exp. 5 (Tianguistengo, 1759): "Mi Señor de Chalma queda para que le sirvan todos los hermanos, primos, sobrinos: juntamente le servirán con sus flores, velas y saumerio como viene desde antedente de nuestros padres (...)" AGN, Tierras, vol. 2551, exp. 8 (Tlayacapan, 1736): "Los dueños de mi casa: Jesús Nazareno, Santo Christo, San Juan, San Miguel, Niño, San Nicolás, Christo, todos de bulto (...)" AGN, Bienes Nacionales, leg. 446, exp. 7 (Ajusco, 1707): "Le han de dar culto a Señor San Miguel que es el patrón de la casa y es el que está cuidando el sitio o solar (...)."

38. AGN, Tierras, vol. 2539, exp. 5 (Almoloya, 1762): "Ellos han de servir a mi querida madre Señora Santa Ana"; AGN, Tierras, vol. 2539, exp. 4 (Calimaya, 1733): "(...) a mi querida madre de Guadalupe y a mi querido padre San Antonio de Padua"; AGN, Tierras, vol. 2533, exp. 5 (Calimaya, 1691): "Declaro mi sepultura se abrirá delante de mi padre San Antonio." On *compadrazgo* and images, see Manuel Pérez, *Farol indiana y guía de curas de indios* (...) (Mexico City, 1713), who describes the bounds of kinship established by the paying of a benediction or a mass for the saint of another person.

39. Gibson, *Aztecs*, 135. See also Biblioteca Nacional de México, Colección lafragua, Manuscript 1355 (1729); AGN, Bienes Nacionales, leg. 420, exp. 19 (Cayuca, 1647).

40. AGN, Clero Regular y Secular, vol. 103, exp. 11 (1786); see f. 405v, in the words of the Indians "la mencionada imagen no es de español alguno, sino propia de los naturales."

41. Remo Guidieri, "Statue and Mask. Presence and representation in Belief," in *Res*, 5 (1983), 15-22. See also Serge Gruzinski, *La guerre des images de Christophe Colomb à Blade Runner (1492-2019)* (Paris, 1990).

42. Archivo de la Casa de Morelos, 785788, Mic. INAH, rollo 1731, Documentos de la Inquisición, 1739-1805. Other examples in Gruzinski, "Filet Déchiré," IV, part iv, *passim*.

43. Serge Gruzinski, *Les Hommes-dieux du Mexique. Pouvoir indien et société coloniale* (Paris, 1985); English edition: *Man-Gods in the Mexican Highlands. Indian Power and Colonial Society, 1520-1800* (Stanford, 1989).

44. William Pietz, "The Problem of the Fetish, I," in *Res*, 9 (1985), 5-17.

**Rural Confraternities in the
Local Economies of New Spain**
THE BISHOPRIC OF OAXACA IN THE CONTEXT
OF COLONIAL MEXICO

ASUNCIÓN LAVRIN
Department of History
Howard University, Washington, D.C.

INTRODUCTION

Barring the local parish church, hardly any other ecclesiastical institution was as ubiquitous in rural Mexico as the local *cofradías*, *hermandades* and *devociones* which, as is explained by Prof. Gruzinski in the preceding chapter, the lay members of the community sustained in deed and spirit throughout several hundred years. Founded within the premises of the parish church, confraternities acted as nuclei for groups of people who found a common bond of partnership in the weekly, monthly or annual religious celebrations they sponsored. While it is difficult to account for the innermost motives of those who joined these associations, we know that they were willing not only to work for them, but also to dig into their oftentimes meagerly endowed pockets to contribute for the expenses of masses, feasts, the banquets that sometimes accompanied the annual celebrations, and the good order of the physical premises of their church.

The ritual significance of confraternal activities within indigenous communities has attracted the attention of ethnohistorians and anthropologists for some time.¹ On the other hand, historians have only begun to delineate the activities and evolution of confraternities. Although it is still early to determine in what direction historical research will move, it is already obvious that the historical contribution will lie in clarifying the role of confraternities as social and economic institutions by providing reliable information about both and ensuring that future interpretations about these institutions' role will have the benefit of a solid data base.²

As a contribution to the expanding body of historical literature on sodalities, this chapter will focus on the rural confraternities of Oaxaca in the late eighteenth century and will discuss the significance of the data unearthed in the context of our current knowledge of those

institutions. This study is based on the answers submitted by parish priests to bishop Antonio Bergoza y Jordán (1802-1811) after he carried out an episcopal visit to his flock in 1802.³ This synchronic view of the bishopric of Oaxaca is like a snapshot in time allowing a structural analysis of the confraternity system. Although the elements to explain changes throughout time are missing, the difficulty and slowness of research in the parochial local archives and the scarcity of printed works justifies an in-depth analysis at this point, leaving the task of filling up chronological gaps and delineating nuances for the future.

Bishop Antonio Bergoza y Jordán came to the bishopric of Oaxaca in 1802 after having served as Inquisitor in Mexico City between 1799 and 1800. Shortly after his arrival, he carried out an episcopal visit of his bishopric and ordered his parish priests to answer a questionnaire with nine items, one of which referred to the local confraternities, their assets and administration.⁴ The *Cuestionario* report comprises 59 rural parishes in 19 jurisdictions. Most of the local priests answering the *Cuestionario* took their task seriously and submitted carefully drafted reports containing not only factual data but also their own unsolicited comments on the character of the inhabitants, their spiritual and educational problems, and the possibilities of improving the state of the local economy. Given this ample framework, the report becomes a rich source of information which places that relating to confraternities in a firm historical context. Little doubt remains about the popularity of confraternities as key elements of Catholicism among the laity. Numbers alone would confirm the propensity of the population to gather in these formal groups to channel their religious activities. The 1802 reports furnishes a nearly complete census of the rural confraternities, and although some information is missing, I reached a count of 785 confraternities. In rounded figures one may say that there were approximately 800 of them.⁵

The distribution of the confraternities shows heavy concentrations in certain areas. The provinces of Teposcolula and Coixtlahuaca had a combined number of 234 confraternities. Miahuatlán had 109. Yautepec and Pochutla, in the central and southern areas of the bishopric can be categorized as moderate to heavily subscribed with 81 and 58 confraternities respectively. On the other hand, central valley areas close to the city of Antequera such as ETLA and Teotitlán had relatively few confraternities. It is possible that the cohesiveness of the communities was already lost at this late date in the colonial period, and that the influence of the urban centers had eroded some of the economic and cultural bases for the formation of confraternities. In general, sodalities remained popular in the richest agricultural and cattle land such as the parishes of Cuixtlahuaca and Teposcolula located in the Mixteca Alta, which owned much cattle, and the province of Miahuatlán, in which *grana* was an important commodity. In the latter jurisdiction only two or three of a total of 109 confraternities owned cattle.

Technically speaking, the vast majority of the rural confraternities of the bishopric of Oaxaca were founded and functioned outside the ecclesiastical requirements for their existence. They were *hermandades* or *devociones* founded by the parishioners themselves, and lacking the required canonical approval of the bishop. In San Mateo Piñas (Pochutla), all 33 sodalities lacked canonical licence. In Teposcolula (Teposcolula) only 2 out of 47 sodalities had pastoral licence.⁶ Since many of the confraternities could trace their origins to the seventeenth century, the assumption is that they had simply existed outside the definition of the church for over a century. Bishops must have been aware of the disputable grounds of their foundation, but they obviously turned a blind eye to the situation and allowed these corporations to carry out their spiritual and material existence.

For the rural parish clergy these associations were means to spread and maintain Christianity, vehicles for exerting control over the communities, and very important sources of income. With few exceptions, most rural priests in the bishopric of Oaxaca lacked benefices or chantries and depended strongly on their parishioners to survive. The fees paid for services such as marriages, baptisms and burials (*obven-ciones*) and the alms given to sustain the religious ceremonies were the pillars of their income. *Sinodales* a fixed income from tribute revenues appear cited by some parish priests. Equally important were the funds raised by the confraternities to defray the rituals of the religious calendar, such as the feasts of their patron saints.⁷ All income reserved for such purposes helped to improve the standard of living of the clergy and add 'luster' and status to the town. Furthermore, surplus confraternity funds were channeled into the building, refurbishing and maintenance of the churches. The importance of *obven-ciones menores* (feasts, masses, anniversaries and responses) which included those contributed by confraternities, was crucial for the parish priest.⁸ In some towns such as Tlaxiaco (Tlaxiaco) the parish churches of the *cabecera* and *sujetos* lacked any form of income and depended totally from confraternities, majordomos and pious contributions for the maintenance of religious ceremonies. As one priest put it, confraternal contributions could also help save towns from having to pay *derramas*, extra taxes on agricultural produce.⁹

Confraternal income was part of a complex net of voluntary and compulsory forms of tribute and its importance was directly correlated to the wealth of the town and the region. One example will serve to illustrate this situation. In the parish of Santa María Asunción Ecatepec (Yautepec), the 36 confraternities of the eight towns paid 32 *pesos* 4 *reales* for the masses of the dead, sometimes in cash, sometimes in food. They also paid for the 38 feasts celebrated by the parish, all in cash. The income derived from that item was 109 *pesos* and 3½ *reales*. Fees for marriages, baptism, burials and responses yielded 130 *pesos*, a little less than the combined product of masses and feasts. The most important sources of income for the priest in this parish, however, were the voluntary offerings and the *primicias*, a tax

on agricultural products that yielded 1,265 *pesos*. Santa María Asunción was a poor town afflicted by earthquakes and a scarcity of maize in 1803. The priest made a living mostly on agricultural tax, but the confraternities contributed to preserve the continuity of the ritual which was so important for the community. I have used this example to underline the ranking of contributions of confraternities to the upkeep of the parish and the religious ceremonial under unfavorable circumstances. Things could be worse. In San Mateo Peñasco (Tlaxiaco) confraternities hardly raised enough money to cover their own expenses, let alone those of the priest. Thus, we must realize that economically successful confraternities were those whose income allowed them to underwrite their expenses and to increase their own capital funds.¹⁰

SOURCES OF INCOME

The main financial assets of the rural confraternities in Oaxaca were cattle and cash held in their coffers or circulating either as small loans or invested as the majordomo saw fit. Beeswax was also kept in the churches as a non-liquid asset. There were relatively few other forms of earning money for their religious needs. In cochineal producing areas, some confraternities' invested their funds in *grana* (cochineal). Such was the case of Lachixío and the town of San Juan Ozolotepec (Miahuatlán), where several *hermandades* had invested their relatively small capital (of less than a hundred *pesos* each) in cochineal. Ownership of *nopaleras* (fields of *nopal* cactus plants) was also mentioned by the *cabecera* town of Ixtlan (Mixteca Alta). The three *hermandades* of Huahuatlilla (Nochixtlan) had a few *maguery* plant plots. These diversions from the main pattern remained a minor form of capital diversification. Comparing these sources of income with those reported for the confraternities of the archbishopric of Mexico we observe less ingenuity in finding ways to sustain their expenses. By using such devices as renting weights during market-days or using boat-landing fees, the Mexican communities showed more imagination in making extra cash. The ecological constrictions of Oaxaca should, however, be taken into consideration. Given the more mountainous character of much of the territory and the limited opportunities for agricultural diversification, many rural communities had much less choices to overcome their intrinsic poverty.¹¹

The popularity of cattle as a source of income is not surprising. For two centuries cattle had been one of the bishopric's main produce. By mid-sixteenth century Spaniards and Indian *caciques* had already established cattle *estancias* and ranches. The non-elite Indian population began to come into contact with cattle-herding activities at this time as they were drafted for work in livestock *haciendas*. By early seventeenth century Indian towns had already acquired ranches, and by the end of that century those located in ecologically suitable areas were

incorporated into the expanding livestock industry. Cattle became an important part of the economy in the second half of the seventeenth century and experienced a notable expansion throughout the first quarter of the eighteenth century. Thus, at the end of the eighteenth century cattle-ownership was a firmly established form of income for many Indian confraternities. By 1800, they owned at least as much cattle as sheep and goats.¹²

A census of the cattle owned by the confraternities is possible although the total number of animals cannot be completely accounted for. As in the case of the archbishopric of Mexico, the reports sent by the priests of Oaxaca were not uniform in their quality and although the information on the kind and quantity of cattle owned by the confraternities is generally good, several reports were vague in their description and did not furnish numbers. In spite of this, we are informed that there were around 31,300 head of *ganado mayor y menor* (large stock and small stock, rounded numbers) owned by the confraternities. We can safely assume that perhaps several thousand more remained unreported and it is not risky to assume that confraternities owned no less than 32,000 head of *ganado mayor y menor*, and possibly more. Taylor cites a figure of around 260,000 head of cattle in the Valley of Oaxaca in 1826. Although comparison of both figures is not entirely possible, there is no doubt that confraternities emerge as an important element in the broader picture of cattle ownership.¹³ True, only a small number of confraternities had large herds and, in general, their cattle were widespread across the bishopric. However, the total number of heads owned made an important statement for the indigenous participation in the local economies.

Of the varieties of *ganado mayor* and *ganado menor* owned by confraternities the most important were cattle (*ganado vacuno*) for which the number comes up to around 15,300. Second in importance were goats, with 10,550 head. Sheep followed in third place, with 5,500 reported (all numbers have been rounded). There were nearly 1,000 mares, 40 horses and 42 mules held by a handful of confraternities. Cattle-owning confraternities were widespread over the archbishopric, and the number of head owned varied significantly. The confraternities of San Mateo del Mar (Tehuantepec) had 2,624; Teozacualco (Nochixtlán) had 1,072; Tecomaxtlahuaca (Juxtlahuaca) 1,057; San Mateo Piñas (Pochutla) 874, and Coixtlahuaca (Coixtlahuaca) 869. In ten other areas the confraternities owned herds between 300 and 800 head. A few areas seem clearly to have a greater concentration of cattle than others, but whenever ecologically and financially feasible livestock was the favorite means of supporting confraternity activities in the bishopric. Sheep and goats as individual categories ranked second to cattle in volume but they were as important as cattle if we consider their combined numbers. The most intense concentration of sheep and goats was in the Mixteca Alta. For example, Coixtlahuaca had 8,225 goats and sheep against 879 head of cattle. Twelve of the 47 *hermandades* of the town of Teposcolula (Teposcolula) owned

1,336 sheep. Tamazulapam, also in Teposcolula, was reported as owning 2,496 head of mixed *ganado menor*, *caballar y lanar*, in contrast with 400 head of *ganado vacuno*. Goats were concentrated in Coixtlahuaca, Juxtlahuaca and Tlaxiaco.¹⁴

In 1803-1804 the value of cattle (*ganado mayor* or *vacuno*) was estimated between 3 and 8 pesos per head. Although the prices for sheep and goats are not quoted anywhere they could not have been higher than cattle. Thus, only those confraternities with large numbers of animals could be possibly regarded as financially comfortable. The disparity in the number of cattle owned by different confraternities was significant. In a goat and sheep rich area such as Coixtlahuaca, some confraternities owned herds of between 200 and 300, while others had only a few. Tamazulapam, a *cabecera* town in the cattle area of Teposcolula had 87 *hermandades*, but not all of them chose to own livestock. Santiago Teotongo, a *sujeto* was the nucleus of the cattle herds. Its 16 confraternities owned 1,658 head of cattle, over half of the total number reported. Even in this town, 4 of its 16 *hermandades* owned nearly half of all the livestock. We must note such differences in ownership to appreciate the various degrees of financial well-being among rural confraternities.¹⁵

The livestock ranches owned by the confraternities were run by cowboys (*vaqueros*) who were paid by the confraternities for their work and sometimes given an allowance (*ración*) of maize. Such were the cases in the ranches owned by the confraternities of Nochixtlán and Achiutla. Although only several reports in the *Cuestionario* mentioned *vaqueros* and fewer quote shepherds, we must assume that any confraternity with several hundred head of livestock must have resorted to such services. Cowboys are identified as confraternity members assigned to that task. An insight into the administration of the ranches is given by several reports. The sale of the cattle was supervised by the parish priest in those towns where the latter had succeeded in maintaining a firm control over the administration of the confraternities. All cash remaining after covering the annual expenses of the confraternity was assigned to the fund for construction or repair of the parish church. Two examples will serve to illustrate the operation of running the sodalities' ranches, noting beforehand the great similarity between these two examples and data available for the diocese of Guadalajara. The *hermandad* of Nuestra Señora del Rosario, in its *sujeto* town of Santa María Nocuyñe, had 67 head of *ganado mayor* and 3 mares under the care of the annually elected *mayordomos*. Their *cacique*, as administrator of the *hermandad*, assumed the responsibility of selling the number of cattle appraised as necessary to cover its religious expenses, such as annual feasts and masses, the contributions due to the church (*obvenciones*), taxes such as *alcabalas* and *diezmos*, the cowboys' salaries, and salt for the animals.¹⁶

The confraternity of *pardos* of Santa Anna Tavela in the town of Nexapa offers an interest point of comparison with the Indian confraternities of Achiutla. Although the language of the report is slight-

ly unclear, it supports the assumption that the confraternity, not the town itself, owned a very well run cattle ranch. Essentially, this ranch was very much under the tight supervision of the priest, but it enjoyed the same degree of autonomy for its daily affairs as the Indian ones. It was a very successful enterprise paying for all the confraternity's expenses and exempting the parishioners from any contribution. It had 503 head of cattle, 40 mares and 401 *pesos 7 reales* in its coffers. The people appointed a majordomo and between 2 and 4 *vaqueiros* every year. The majordomo ran the operation, sold and bought cattle, paid for feasts and masses, and for the salary of the cowboys. He then rendered a yearly account to the priest. Any profit was entered into a coffer to provide money for the physical needs of the church (ornaments, vessels, etc.). There seems to have been a harmonious relationship between the priest and the majordomo, as each had a clear idea of what was his assigned territory of authority.¹⁷

Exactly how many cattle were sold annually remains mostly unrecorded. The few entries on that subject suggest that the confraternities with small herds sold only the number deemed necessary to cover their expenses. The *hermandad* of San Bartolomé Yucuañe, *sujeto* of Achiutla, (Tlaxiaco) had 19 head of cattle out of which it sold only 4 yearly. Selling such a small number of animals was not enough for the stated objectives and the majordomo covered the rest from his own pocket. The probable intent of the *hermandades* was to maintain the integrity of the herds or to improve their number, a wise policy of capital conservation, but one that placed economic burdens of a different nature on the personal income of the majordomos. The degree to which majordomos of rural confraternities spent their own money in the ritual celebrations of their corporations was a subject of discussion and reflection among parish priests, and one that seems crucial in determining his role in the town as well as in the *hermandad*. The *cargo* or expected expenses of the annual feasts and masses was regarded as an economic burden that whereas rarely refused few could completely afford. Nevertheless, majordomos preferred to incur debts rather than refusing to accept the expenses or cut them down. To cover such expenses, they had to work hard all year round, as noted by the priest of Santa Maria Nativitas de Almoloyas (Cuicatlan).¹⁸

Some ecclesiastical and civil authorities remained critical of the *cargos* or had tried to curb them. In 1791, the intendant of Oaxaca saw with jaundiced eyes the expenditures of majordomos in religious feasts. Making a general statement about the bishopric he reported to his superiors that:¹⁹

"since the income they [mayordomos and diputados] administer falls short of the expenses caused by the religious functions, they are obliged to contract out such ceremonies and pay for their expenses by means of rather illicit dealings [comercios], abandoning their own tillages and interests, and even engaging in such personal labor their own children and wives."

The priest of Yanhuitlán, commenting on the excessive expenses incurred by majordomos during the religious celebrations, mostly regretted the fact that the money was spent on food ("*pues cada fiesta les costaba mucho por convidar a comer y beber en cada una de ellas a todo lo más del pueblo*"). He stated, however, that the secular clergy had succeeded in regulating such feasts and that during his tenure confraternity funds had been rechanneled to the acquisition of ornaments. One may see in this comment more than a cultural gap in the understanding of the meaning of the ritual feasting among the Indians, although that was important enough. Using the confraternities income for the material preservation of the parish church made more sense to the parish priest than to have it 'wasted' on food. These comments by ecclesiastical and civil authorities help to shed light on the responsibility of the majordomo in fulfilling *cargo* duties. Obviously, some majordomos took the celebration of religious feasts as their own personal responsibility. Whether or not this was becoming a general pattern remains to be proved by further evidence.²⁰

The attachment of some communities to cattle herds as a form of income was strong, as illustrated by the case of the town of San Juan Teyta, another *sujeto* of Achiutla. At some unstated point in the late eighteenth century, possibly before the process of secularization began (between 1750-1780), a Dominican father sold the cattle of the town's two *devociones-hermandades* to defray the expenses of a collateral for the church. The membership was unable to stop him, but shortly thereafter it decided that cattle was not only a safe form of income but one that they wished to preserve. Thus, they began to collect money to build up another herd. In 1793 they bought a few head, that were tended by *vaqueros* annually elected among the membership. By 1795 the two *hermandades* reported to the priest of the town a herd of 35 head which by 1803 had increased to 69.²¹

The rural *hermandades* of Oaxaca did not own much arable land. A few reported *labores* or small plots, some leased for flat sums of cash. Landownership near Antequera might have been more common than elsewhere, as indicated by the reports on San Pedro Etla and San Andrés Zautla. We also know that in some landowning communities the majordomo cultivated the land belonging to the confraternity.²² Communal work in confraternity land is almost certain, since that was the pattern used to raise money for other purposes in communal *pueblo* land. The weak pattern of landownership is possibly explained by the fact that Indian *pueblos* owned considerable amounts of community lands that posed an important competition for the acquisition of land by confraternities. In addition other church corporations and Spanish civilians contended for agricultural land.²³ Ownership of ranches to graze their cattle seemed to have been also rather unusual. The parish of Santa Lucía in Yautepec, was a rather poor area with 28 *hermandades* out of which only one had cattle. This one, however, owned its own '*hacienda*' for its 400 head. In the jurisdiction of Nexapa two confraternities out of five also owned ranches. This was also the pat-

tern in the parish of San Mateo del Mar (Tehuantepec). In 1802 the population of San Mateo del Mar had grown considerably and it was considered the second *cabecera* town, a title officially corresponding to San Francisco. This parish specialized in cattle and the confraternities of three of its four towns had invested heavily in livestock. Yet, only several of these confraternities owned ranches for their cattle. The confraternity of Nuestra Señora del Rosario, in San Francisco, was one among four sodalities owning two *ranchos* where they tended 175 head of cattle and 101 mares. There were four ranches with 471 head of *ganado menor* in the town of San Mateo, but it seems that they did not belong to any of the nine the confraternities. The community looked after the cattle and paid for masses and festivities. Altogether, in San Dionisio and in San Mateo del Mar sodalities owned 1,363 head of cattle. Yet, only three out of a total of eighteen sodalities owned ranches. Confraternities apparently resorted to leasing land, or used the grazing lands of the community for that purpose. Ownership of houses was practically non-existent. Only one confraternity in Yanhuilán owned a house yielding 40 *pesos* annually.²⁴ Obviously, the indigenous communities of rural Oaxaca did not consider this form of investment at all, possibly leaving that form of raising money to the urban folk.

Beeswax (*cera labrada*) was the third important form of investment among some rural confraternities. Considering the continuous use and demand of wax for masses and feasts it is understandable that confraternities desired to have a reserve. Not all confraternities seemed to have been interest in holding beeswax as an asset, however. When listed, wax is not given any monetary value; only its weight is cited. Judging by the several citations of wax-holding, the amounts held were uneven. In the parish of Huatla (Teotitlán) 4 confraternities had $5 \frac{3}{4}$ *arrobas*, while in Tejupa (Teposcolula), 17 confraternities had 6 *arrobas* 14 *libras*. On the other hand, the five confraternities of the *sujeto* town of San Agustín Mixtepec (Miahuatlán) had over 80 *arrobas* of beeswax. Apparently, some confraternities bought beeswax to provide the priest directly for the celebration of masses.²⁵

THE POLITICS OF INCOME ADMINISTRATION

The administration of the income yielded by the confraternities was a subject of power manipulation in the bishopric of Oaxaca. The uniformity of ecclesiastical supervision inferred from the reports of the archbishopric of Mexico is not so obvious in Oaxaca. Who had the upperhand in such administration seemed to have been a negotiable issue, in which some communities had submitted to their priest, while others challenged his attempts at financial and spiritual control. In some towns the income derived from either cash or property was totally in the hands of the majordomos, who paid 5 percent to the priest to pay for the purchase of wax and religious celebrations.²⁶

Obviously priests had the ultimate power of allocating and spending the funds for the masses and the feasts. However, the absence of any comments as to their own role in the supervision of how the money was raised suggests that in such instances there must have been an understanding between the confraternities and the priest, and the latter was mostly a recipient of the income tended by the majordomos.

Account books are carefully referred to by those priests who had achieved a modicum of control over their communities, even though the 'antiquity' of such books could sometimes be questioned. The priest of Loxicha (Pochutla) had instituted the use of account books since his assumption of the parish in 1791, but he had not changed the system of self-administration of the majordomos, who every year took control of the capitals to make profits in whatever fashion they managed. There is also evidence that some parish priests had failed to take accounts from their communities, and the capital in the hands of the majordomos had been lost.²⁷

While most priests seemed to have maintained a comfortable degree of control over their confraternities, some communities either paid deaf ears to their priest or resisted giving any financial information to him. The priest of Tlatongo (Nochixtlan) complained that the small amounts of cash and cattle of the fifteen confraternities of his parish were rapidly declining due to the maladministration of the Indians, a process that he had been unable to stop ("*sin que hayan valido mis arbitrios*"). The *hermandades* of the *barrio* of Soledad in Santa María Petapa, (Juchitán) mostly inhabited by mulattoes and *castas* refused to show the priest an account of their property and defied all financial intervention from the parish. Equally, the *hermandades* of Miahuatlán (Miahuatlán) did not share their books with the priest of the *cabecera* town, who attested to their distrust and was unable to verify whether they had any books at all. Another distant parish in the southern coast, San Mateo del Mar, posed its parish priest with a similar case of defiance. Two of the confraternities in the *cabecera* town of San Francisco owned two ranches with 276 head of *ganado mayor*. The parish priest accused the natives of embezzling the profits of the properties. Furthermore, he implicated the town authorities in the scheme, charging them with compliance in hiding the moneys and support in covering up the frauds. He was obviously unable to control the situation and much of the venom of his report suggests that he hoped the bishopric would send somebody else to get him out of his predicament. Interestingly enough, he was in control of the accounts of the confraternities of San Matheo, whose funds were kept in a coffer with two keys -one in his possession and the second in the governor's hands. He had also received accounts of the cattle holdings of the town of Santa María.²⁸

We seem to be witnessing communal challenges localized in certain areas or towns, but not necessarily expressions of general discontent. The isthmus area of southern New Spain and the highland areas of Guatemala seemed to have bred many varieties of local discontent,

and these encounters with the parish priests are one of their expressions. In other areas of New Spain we find similar examples of friction and defiance between parish priest and Indian communities. The confraternity of Limpia Concepción, in the town of San Pedro Churumuco (Aguacana, Michoacán) had a major confrontation with its parish priest over the administration of a cattle *hacienda* around mid-eighteenth century. The case was submitted to the bishop, who determined that the property be leased. The community, angry and still rebellious, spent the income due to the parish priest and refused to tend him any money. The latter kept on complaining about the "lack of obedience among the said Indians of Churumuco," who had deprived him of the cash for feasts and religious observances and neglected the church building, but he was unable to change the situation.²⁹ For his part, the priest of the Oaxacan parish of Nochixtlán could, at least, boast that he had been able to curb potential community intrusion in the administration of the confraternities' funds. As he put it, the majordomos rendered accounts annually, although "some towns attempt to meddle [entrometerse] in the administration of the sales (...)." ³⁰ Equally successful in curbing some of the activities of his majordomos was the priest of Tlacoahuaya (Tlacolula), who had banned all trade of a personal nature as it had been the custom prior to his arrival in town. Obviously the character of the priest in charge had much to do with the control of the *hermandades*, but some communities showed less than an obsequious acquiescence to the local priest's control of their moneys.³¹

Only further studies of confraternity books (whenever available) will help to clarify the degree of friction or understanding between communities, majordomos, and parish priests in the administration of confraternities' funds. We may expect to find intermittent examples of confrontation over finances, especially when the stakes were worth the struggle, because the communities and their majordomos had a keen sense of their role as owners and caretakers of confraternity properties. It is also evident from these reports that in the bishopric of Oaxaca, at the end of the colonial period, the administration of the capital of many confraternities was in the hands of their majordomos, who enjoyed a high degree of autonomy over the confraternities' assets. They were bound to return the same capital they received, but if successful in their dealings, the communities were the ones in 'debt' to the majordomos, and rarely the other way around. An interesting area to illustrate this situation is that of Tehuantepec. The several towns of the jurisdiction of Juchitán reported cash in the hands of their confraternities' majordomos. San Juan Bautista Guichicovi added the important detail that the cash of its five *hermandades* was in the hands of 'tratantes' who paid 5 percent interest. These must have been local merchants who held the total sum of 2,302 pesos mustered by the *hermandades*. The income of 115 pesos was what this town derived for its sodality celebrations.³²

Another manner of investing the capital was used by an enterprising majordomo of a sugar-area town of Temaxtlahuaca (Juxtlahuaca, Mixteca Alta). Here the economy was mostly dominated by *haciendas* and *trapiches*. The majordomos bought sugar with the confraternities' capital and travelled to the southern coast where they sold the sugar and bought salt and cotton to sell back home. The majordomos of the confraternities of Lachixio (Sola de Vega) also engaged in the salt and sugar trade in Tehuantepec and Tlapa respectively. This exercise in local trade left a profit that increased the capital of the confraternities after all expenses were paid. A recent study of the town of Tlapa, in the bishopric of Puebla but geographically adjacent to Juxtlahuaca and the Mixteca Alta, disclosed similar trading activities in the southern coast by the majordomos of the town's confraternities. The similitude of the situation was dictated by ecological factors.³³

A different form of local trade, but this time with the Atlantic coast and Veracruz, was carried out by the canonically approved confraternity of Santísimo Sacramento of Jalapa (Tuxtepec). The confraternity sent its majordomo to Jalapa, where it bought wick thread at 2-3 *reales* a pound. After conversion into wick, it sold the finished product in either Veracruz or Tehuacan at 4½ to 5 *reales* a pound, a solid profit of nearly 100 percent and a reliable source of income for purchasing the oil and beeswax of the church, and also for providing the parish priest a special food gift the day of the patron's feast.³⁴ All these cases are emblematic of the entrepreneurial engagement of the community through the channel of the religious corporation, a phenomenon which was apparently widespread in the southern areas of New Spain.

The manipulation and ultimate destiny given to the moneys of *hermandades* had been questioned earlier in the century during the 1777 *visita* of bishop José Gregorio de Ortigosa (1775-1791) who had heard rumours that the *hermandades* were lending cash at 25 percent interest. He stressed the need of parish control over the confraternities' income. In view of this concern, one wonders whether indeed the majordomos of confraternities were profiting from the moneys in their charge and to what extent. In San Andrés Chicahuaxtla (Putla) the majordomos of the four confraternities used their wards' cash to carry out their own business (*para negociar con él*), tendering the profits they made to pay for the sodality's expense. In this town the confraternities also received the earnings of several *milpas* worked by the *cofrades*, and for which no account books existed. Some interesting comments came from the priest of Yanhuitlán (Nochixtlán). He explained that the cash assets (*fondos*) of the parish confraternities were "*prorated among the majordomos themselves and with their own share they make some profit [lucrar] in licit businesses [tratos y contratos] such as agriculture and leather tanning.*" He seemed perfectly content with the system and raised no questions about it. Similar complacency was shown by the priest of Santa María Asunción Ecatepec (Yautepec), who explained how *cofradías* in his parish allo-

cated funds among their majordomos who used it at their own discretion. Thus, the *sujeto* town of Santo Tomás, with 8 confraternities and a cash sum of 434 *pesos 6 reales*, distributed the latter among 20 majordomos. That was roughly a sum of 20 *pesos* each. What the majordomos did with this money is unknown, but they were accountable for it to the community and, judging by other reports, if they did not return the capital, they had to supply its annual interest.³⁵

What was the degree of 'profit' made by the majordomos, and were these priests well informed about how they manipulated the confraternities' funds? Danièle Dehouve, after studying Tlapa's confraternities' books states that a confraternity's profits could vary between 37 and 100 percent. She also quotes the bland remarks of a visiting bishop about the feasibility of a confraternity doubling its capital. These data raise the intriguing possibility of Indian majordomos indulging in 'usury' either behind the parish priest's back or with his acquiescence and while this cannot be thoroughly tested at this point, it should at least be noted. The circumstantial evidence gathered by these pieces of information, however, strengthens the suggestion made above about the relative administrative autonomy enjoyed by certain rural confraternities, and the nonchalant attitude of religious authorities about the means used by religious corporations to raise funds. More importantly, it also points to the ability of the Indians to use all the mechanisms of commercial capitalism available to them in their own economic microcosm.³⁶

The cash assets declared by the confraternities may have been used for loans, but the *Cuestionario* responses do not allow us to make a clear case for the use of such cash in loans, as in other areas of New Spain. This problem remains to be possibly elucidated by consultation of notarial records. The wording of some reports suggest that some Indian communities used their cash assets for lending. Such was the case of the Confraternity of Santísimo Sacramento of the *cabecera* town of San Pedro Yolox (Ixtlan), which had the considerable sum of 3,600 *pesos* in mortgages. The income was being used to fix the town's church and "increase the capital." In other words, it was plowed back. Elsewhere I have suggested the need to look into local sources of credit to learn how the common folk solved the problems of capital formation and allocation of wealth. The Oaxacan confraternities' contribution to local credit will perhaps be the most challenging and difficult subject to assess until account books or notarial records are tapped. The majordomos' engagement in trade with the sodality moneys indicates that this, rather than loans, was perhaps the preferred manner to circulate cash in the economy.³⁷

Adding up the amounts of cash reported in the possession of confraternities in the bishopric we come to a sum of 75,000 *pesos* in rounded numbers. Even though we are unable to verify the degree of cash circulation as loans or 'seed' money manipulated by majordomos the figure gives us a measure of the confraternities' financial capabilities. Compared to the global sum estimated for the archbishopric of

Mexico at the end of the eighteenth century (ca. 445,000 *pesos*), Oaxacan confraternities were much poorer and less able to circulate money in the community. The Mexican estimate, however, includes non-Indian and urban confraternities in the richest agricultural area of New Spain. The comparison is somewhat unfair, but helps to underline the specificity of each area's economic profile, and although we need to learn more about Oaxacan confraternities throughout the colonial period, it is unlikely that they will emerge as strong elements in the local credit market. In fact, the use of land and cash resources of Oaxacan confraternities was heavily committed to religious objectives. Yet, the manner in which they were used suggests that they had assimilated many of the essentials of commercial capitalism. Since most of the rural confraternities of Oaxaca were predominantly Indian, they must be counted among those 'institutional mechanisms' cited by Horst Pietschmann that regardless of their primordial function tended to integrate the Indian into the local economy.³⁸

RURAL CONFRATERNITIES IN NEW SPAIN: OAXACA AND THE GLOBAL VIEW

Although our knowledge of rural confraternities is still diachronically incomplete and geographically fragmented we can attempt a general assessment of their role in their communities and trace a profile of some of their most salient features. We must bear in mind that what we know relates mostly to the eighteenth century and that the process of foundation and consolidation of confraternities as social, religious and economic institutions remains to be investigated. To find answers to our questions on that process we will have to examine the late sixteenth and the seventeenth century, precisely when the indigenous population was under greatest stress in some of the key areas of New Spain.³⁹ Many historians are reluctant to deal with mental and spiritual values, but this should not impede us from considering the communal need to gather around a religious symbol during periods of stress. The demographic onslaught of the indigenous population began in the sixteenth century and confraternities, founded for religious purposes as part of the Iberian cultural transfer, must have served as foci of demographic and spiritual consolidation. That role did not seem to have changed through the seventeenth century, when the economic needs for their survival became an additional part of their institutional contours.

The fact that many rural 'confraternities' were simply voluntary associations still known as *devociones* by the eighteenth-century clergy suggests that their formation was a natural nucleation of wills, born out of a spiritual need. The extraordinary number of informal sodalities (*devociones*, non-canonical *hermandades*) in Oaxaca in the late colonial period looks like a peculiar characteristic of this bishopric but, in fact, it was common to Indian sodalities elsewhere. These in-

stitutions remained close to their community roots, as expressions of a commonality of interests that had little need for some European trappings. The process of obtaining a canonical foundation for a confraternity required a certain degree of literacy and education from its members, and an additional understanding of the legal processes required by the church. *Cofrades* had to petition the See in writing, adopt a set of written rules (*constituciones*), fix a monthly contribution, determine the cost and number of religious feasts, set a book for the registration of the members and become accountable for the yearly elections of a council and the maintenance of account books. Rural indigenous *hermandades* in Oaxaca did not seem to have either the will or the ability to fulfill such requirements.⁴⁰

A survey of the rural confraternities of the archbishopric of Mexico in 1776-1778 showed that the majority of the Indian 'confraternities' were also more often than not, non-canonical *hermandades* or *devociones*. Those having canonical approval had obtained legal help from the Indian's advocate (*asesor de indios*).⁴¹ The exhortations of bishops and civil authorities to regularize non-canonical *hermandades* bore only meager fruits, judging by the late eighteenth-century reports. The result was that most rural Indian confraternities in New Spain, although central to the maintenance of the religious lacked *affidavit* canonical personality. Could this be interpreted as yet another form of patronizing the Indians, of neglecting their full integration to the church? Or could this be seen as the manner of gathering preferred by the Indians themselves, partly a cultural and partly an economic issue? One could defend both points and find a measure of support for each. Many of the priests answering the *Cuestionario* on Oaxaca expressed a negative view of the Indians' social behavior. They were variously characterized as lazy, given to the sin of drunkness, refractory to education, etc. A clergy with such poor opinion of their flock would lack interest in upgrading the status of their sodalities.

On the Indian side, it is apparent that some of the poorer *cuadrillas* and *devociones* could not bear the European institutional and economic constrictions that 'formalization' would entail. People gave money for the feasts as alms and retained the integrity of the association by that annual effort, but could not or would not any more. Despite the criticism raised by the clergy about their parishioners most confraternities maintained a considerable degree of internal organization and close ties with the established church through the parish priest. Perhaps underlying this complex situation there was a high degree of social and economic flexibility understood by all concerned that explains the nonchalant attitude of parish priests about the informality of the Indian sodalities, and encouraged the flock to maintain its ties with the church in the manner they understood best. As long as the *obvenciones* were paid and the religious cult decorously maintained the local ecclesiastical authorities dispensed with conventional details. As long as they could render homage to their saints, the Indians remained satisfied.

Other important features of rural confraternities that bear further research and theoretical refinement are the locality and the ethnic pull. *Hermandades* represented units with a physical base. People possibly also found in the *barrio* or *pueblo* the necessary basis for grouping around sodalities. This helps explain the multiplicity of *hermandades* in one town. Yet, locality alone does not provide all the elements of the picture. Another dimension must be added: the devotion of a particular saint, the Virgin, or one of the mysteries of the faith, as they became objects of veneration among the Indians. Popular religious culture has received little attention in Mexican colonial research and this is an instance in which it could help explain the numerical explosion of rural confraternities. Like several layers surrounding the same core these elements could juxtapose each other and contribute to existence of multiple *hermandades* in one town and the proliferation of these institutions throughout the eighteenth century. Coixtlahuaca, located in a Mixtec trading area dating back to the seventeenth century was an overwhelming Indian parish with 17 *pueblos*. In 1803 the town had suffered the depredations of several epidemics. The main occupation of its inhabitants was said to be trading, which made them a shiftless population that failed to keep its religious obligations. Yet, despite adverse economic conditions and the weakness of the official observance of ecclesiastical duties, the people subscribed 84 *hermandades* with over 9,000 head of mixed cattle. All festive days 8 masses were said in the *cabecera* and some of its *sujetos*. Here in Oaxaca, as well in some areas of the archbishopric of Mexico, the population withstood economic challenges to preserve the institutions through which they channelled and preserved communal as well as religious values.⁴²

What role did confraternities play in satisfying an ethnic or communal identity? While the indigenous element was more obvious than any other in rural central and southern Mexico, the ethnic pull helped to form sodalities among all groups. *Castas* and Spaniards formed their own sodalities because social relations among ethnic lines were not obliterated in rural communities. In the rural areas of the archbishopric of Mexico, '*gente de razón*' gathered to form their own confraternities. Not far from the *cabecera* town of Tlalpujahua in Michoacán, was Real Arriba, a community of *pardos*. In 1756 they were reported as having their own chapel and working very hard to improve the church, "*in emulation of the parish church.*" The sodality of *pardos* of Nexapa in Yautepec (Oaxaca, cited above) was but another example of this desire to coalesce and share an identity using one of the few institutional vehicles which offered an avenue for this type of cultural need. True, mixed confraternities existed in many communities in colonial Mexico but we do not know much about the internal order adopted by their members and whether it created wedges separating each other. Judging by two late seventeenth-century examples from the bishopric of Michoacán, and pending further research on the topic, subtle distinctions were made in such associa-

tions. Following episcopal orders to formalize *hermandades* in the bishopric of Michoacán, the *hermandad* of Jesús Nazareno of the town of Cuseo submitted the required 'constitutions' to the See. The mandatory contribution (*cornadillo*) of each member was regulated by ethnic affiliation, with *españoles* paying 2 *pesos*, Indians 6 *reales* or 1 *peso*, and blacks, *mestizos* and mulattoes 12 *reales*. A pecking order was established in which the value of the contribution was correlated to the status of the ethnic group. A different kind of ethnic-related 'order' was established elsewhere. The canonically approved confraternity of Santísimo Sacramento of Puruándiro requested the See in 1675 that neither mulattoes nor *mestizos* be allowed to vote in its election, given the 'disorders' the sodality had experienced. Apparently, this was a mixed confraternity founded by *españoles* who wished to prevent the *castas* from gathering a strong group of followers among the membership. The request quoted the example of another confraternity (Nuestra Señora de la Soledad) in the same area and founded by mulattoes and *mestizos*, which had received the prerogative of barring *españoles* from voting for their majordomos.⁴³ Thus, it is easy to understand some people's preferences to form ethnically defined confraternities in which such frictions would be eliminated. Not having found ethnic exclusionary rules in rural confraternities, I have to infer that discrimination was not institutionalized at that level. Nonetheless, it appears that those founding confraternities set the nature and hierarchical order of their membership.

In the economic realm we can now perceive general and distinct features common to all rural confraternities, but perhaps more definitely so among Indian ones. The use of cattle as an economic resource is now well documented for the bishoprics of Guadalajara, Yucatán and Oaxaca, and the archbishopric of Mexico. Although more sporadic for lack of studies, the indications for the bishopric of Michoacán confirm the trend. The acquisition of cattle began to develop in Oaxaca in the seventeenth century. It has been suggested that in the Mixteca Alta cattle replaced a sagging agricultural trade and gave many people the opportunity to consolidate a source of income without a great deal of capital. Ecologically speaking, considerable expanses of land in colonial Mexico were favorable for raising cattle. Mines in the north demanded livestock for transportation and food; the demographic slump of the central areas favored extensive grazing and an explosion of cattle since the late sixteenth century. Cattle-raising was a natural answer to some important economic needs of the viceroyalty, and it was logic for confraternities everywhere to consider this means of raising money for their religious purposes if their environment would allow it.⁴⁴

What made cattle attractive as economic resources for confraternities? It could be leased; it could be grazed in communal land; it was not too difficult to look after. Theoretically, in bad times it could be used to sustain the community. In Oaxaca the Indian adoption of confraternities as social and spiritual institutions dovetailed with the

spectacular expansion of cattle as an economic resource in the seventeenth century and with its continued growth throughout the eighteenth century, especially in coastal areas. A recent study of the economic trends of Oaxaca in the eighteenth century indicates a continuous increase of livestock in the coastal and peripheral areas of the bishopric to satisfy the growing demands of Antequera. It also underlines the advantages of cattle over wheat and buttresses the assumption that cattle were very suitable for the needs of rural confraternities.⁴⁵

The use of confraternity funds for loans or liens has been amply ascertained for the archbishopric of Mexico, but we have much less information for other areas. Even so, we must consider the local credit market as one in which the confraternities played a noteworthy role. In dealing with local economies, however, we must distinguish between indigenous and non-indigenous confraternities, and between rural and urban corporations. Loans and liens were more frequently used by non-Indians sodalities. Credit in the countryside was limited in scope and had peculiar modalities not known in the cities. Rural, and significantly, Indian confraternities developed their own forms of investing their moneys, such as the allocation of funds as loans to its own members. In Oaxaca the 'loans' to the majordomos seem to have been the accepted usage among Indian sodalities. The extent of loans and its contours in rural Oaxaca, however, remains to be researched in greater detail. The existence of cash in the coffers of many rural confraternities did not necessarily mean that it was used for lending purposes in the same fashion as we are accustomed to see in urban corporations. I suspect that confraternities with small sums of cash simply kept it as a reserve for financial security.

The fact that confraternity land ownership was not extensive has been verified for most areas, although the size and value of most land is difficult to assess. In some areas such as central Mexico the land owned by the numerous confraternities was fragmented in small plots, and what we know for Oaxaca, Michoacán and Guadalajara indicates that similar circumstances prevailed in those areas. Where Spanish competition was weak, as in some areas of Yucatán, the properties of Indian confraternities could become flourishing enterprises, as indicated by Farriss. The antiquity of the land-ownership for many confraternities can be traced to the seventeenth century, as donations of patrons or outright purchase. It appears, however, that in colonial Mexico *cofradía* landownership had formidable obstacles to overcome in the form of private Spanish ownership and indigenous communal land ownership, which remained separate from confraternity lands. This distinction became important in the late eighteenth century (1776), when the Crown decided to investigate how much land was owned by confraternities in the mistaken assumption that these institutions had encroached upon *tierras de comunidad*. In the last quarter of the eighteenth century the civil and the ecclesiastical authorities began a protracted process of reform which put all confraternities under scru-

tiny and criticism. Episcopal visits were carried out in the bishoprics to ascertain their economic assets and survival capabilities, while royal officers began to inquire into economic matters that had never previously bothered them. In 1758 the Crown issued a *cédula* attempting to reduce the number of confraternities, but there is no evidence that it had any impact. Royal officials under the spell of 'enlightenment' and reform were not likely to forget the issue, however. In 1776 the accountant general for New Spain requested a full report on confraternity assets to corroborate whether or not they were cutting into community property and assets. In the early 1790s intendants were instructed to report on the correlation between indigenous poverty and ecclesiastical wealth. The Spanish administrators had their own notions of the negative influence of ecclesiastical property on the economy and began to prepare the way for limiting its scope. In the rural indigenous areas this process eventually began with the appropriation of the funds of the *cajas de comunidad*.⁴⁶

Were rural confraternities, especially Indian confraternities, poorer at the end of the eighteenth century than before? There is no firm answer to this question. In my study of the archbishopric of Mexico I concluded that while the episcopal visits of archbishop Alfonso Núñez de Haro (1771-1800) found many impoverished confraternities, one of its objectives was the elimination of the poorer ones to strengthen those with sufficient income. Thus, in 1805 many confraternities were in good financial shape. On the whole, however, only a very small number of rural confraternities could have been considered 'affluent', whether Indian or non-Indian. Now that we are aware of the importance of livestock for rural confraternities, especially Indian ones, we can see a connection between the impoverishment of many sodalities and significant decline in cattle production experienced in all of New Spain in the last quarter of the eighteenth century. Droughts and epidemic break-outs complete the picture. Yet, this impoverishment is not our only historical concern today. We must determine whether or not increasing economic strain contributed to change the manner in which confraternities and their members discharged their religious responsibilities. The *Cuestionario* of 1802 indicates that despite limited incomes, confraternities succeeded in raising funds to maintain the worship of saints and the annual feasts. This is also true for the archbishopric of Mexico. Yet, how long did that situation last after 1810? Chance and Taylor have documented important economic changes throughout the first half of the nineteenth century that, in their judgment, altered the character of confraternal responsibilities for their key figures. The consensus of several historians is that confraternities were put under severe strain in the first quarter of the nineteenth century. The strain was more than financial. It seems to have affected the web of relationships among members. What was the extent of that strain, what confraternities were most affected, and how the pressure influenced the communal and regional role of these corporations throughout the nineteenth century are important tasks in the

agenda of future research. Yet, since our knowledge of confraternities during the colonial period itself is so limited we must 'burn the candle at both ends' and strengthen our still weak information pool about them. In carrying out the preceding agenda, an important factor we cannot afford to forget is that confraternities were not specifically indigenous institutions. Non-Indian confraternities have so far received scant attention. We need to learn more about them properly to assess the manner in which these institutions served the needs of all ethnic groups in colonial Mexico.

The bishoprics of Yucatán and Oaxaca offer the best opportunities for the study of the meaning of confraternities for the Indian communities. In terms of politics of power between civil and clerical authorities, and as means of generating economic support for the observance of the religious duties of the community, Oaxaca sodalities confirm key patterns seen elsewhere but with a greater intensity and deeper contours. Historians should now unwind the time clock and seek greater details and the specifics of change throughout the colonial period.

ENDNOTES

1. See, for example, Charles Gibson, *The Aztecs under Spanish Rule* (Stanford, 1964); Francis Joseph Brooks, "Parish and Cofradía in Eighteenth Century Mexico" (Ph. D. diss., Princeton University, 1976). For a review of the most current interpretations see, John K. Chance and William B. Taylor, "Cofradías and Cargos: An Historical Perspective on the Mesoamerican Civil-Religious Hierarchy," in *American Ethnologist*, 12:1 (1985), 1-26; and William B. Taylor, "Indian Pueblos of Central Jalisco on the Eve of Independence," in *Iberian Colonies, New World Societies: Essays in Memory of Charles Gibson*, Richard L. Garner and William B. Taylor, eds. (Private printing, University Park, Pennsylvania, 1986), 161-184.

2. For a historical rebuttal of several anthropological and ethnohistorical hypotheses see, Chance and Taylor, "Cofradías and Cargos." Nancy Farriss offers a great deal of information on the activities of Yucatecan *cofradías*, see *Maya Society under Colonial Rule. The Collective Enterprise of Survival* (Princeton, 1984). For Guadalajara, see, Ramón María Serrera, *Guadalajara ganadera. Estudio regional novohispano, 1760-1805* (Seville, 1977); Robert Patch, "Agrarian Development in Yucatán," *Hispanic American Historical Review* (hereafter *HAHR*), 65:1 (1985), 21-49, and also by him, "Una cofradía y su estancia en el siglo XVIII: Notas de investigación," in *Boletín Escuela de Ciencias Antropológicas de la Universidad de Yucatán*, 8:46-47 (1981), 56-66. For Michoacán, see, Ernesto de la Torre Villar, "Algunos aspectos acerca de las cofradías y la propiedad territorial en Michoacán," in *Jahrbuch für Geschichte von Staat, Wirtschaft und Gesellschaft Lateinamerikas* (hereafter *JbLA*), 4 (1967), 410-439. Robert Wasserstrom has some information on confraternities in Chiapas, see his, *Class and Society in Central Chiapas* (Berkeley, 1983). Also useful for comparative purposes is Adriaan C. van Oss, *Catholic Colonialism. A Parish History of Guatemala, 1524-1821* (Cambridge, 1986); Robert M. Hill, II, "Manteniendo el culto a los santos: aspectos financieros de las instituciones religiosas en el altiplano colonial maya," in *Mesoamérica*, 7:11 (1986), 61-77.

3. For a pious brief biography of Bishop Bergosa Jordán, see, Eutimio Pérez, *Recuerdos históricos del episcopado oaxaqueño* (Oaxaca, 1888), 77-88.

4. Other questions sought information on the date of foundation, number of towns in the parish, the clergy in charge, number of masses endowed and performed, chantries, *benefices* and general income of the parish, languages spoken, the contours of the local economy, and the physical condition of the churches. The quality of the answers is generally high. The *Cuestionario* is one of the richest sources of information for rural Oaxaca at the beginning of the nineteenth century; *Cuestionario de Don Antonio Bergosa Jordán, Obispo de Antequera, a los señores curas de las diócesis* (2 vols., Oaxaca, 1984).

5. Whether or not confraternities were vehicles for the assimilation of Roman Catholicism among the Indian population in a subject open to debate, see Gruzinski's essay in this volume. Confraternities helped to formalize the acts of devotion within the church, but this did not exclude the possibility of religious syncretism. The reports on idolatrous activities in the bishopric -like others in Mexico and Central America- suggest that several forms of popular religion coexisted at this time. The *Cuestionario* has important information on 'idolatry'. See also, Eulogio G. Gillow, *Apuntes históricos. Sobre la idolatría y la introducción del cristianismo en la diócesis de Oaxaca* (1889, reprint Austria, 1978); Francisco Canterla y Martín de Tovar, *La iglesia de Oaxaca en el siglo XVIII* (Seville, 1982), 26-29; Farriss, *Maya Society under Colonial Rule*, 286-320; Carmen Bernard and Serge Gruzinski, *De l'idolatrie. Une archéologie des sciences religieuses* (Paris, 1988). In regard to the number of confraternities in the area under survey, several responses failed to furnish the total number of confraternities; others are torn and illegible. In several instances it was difficult to determine if a compound patron saint's name meant one or several sodalities. Compare this number with the data furnished by Serrera on Guadalajara: Bishop Juan Cruz Ruiz de Cabañas (1792-1803) accounted for 403 confraternities, see, Serrera, *Guadalajara ganadera*, 371.

6. *Cuestionario*, I, 178; II, 268.

7. The exact number of masses and feasts paid by the confraternities is not stated in most of the answers in the *Cuestionario*. The one and only *hermandad* of Teotitlán del Camino (Teotitlán) which lacked any other confraternity, paid for 12 masses yearly and the feast of Our Lady of Guadalupe. While the fee for masses could be one or two *pesos*, religious feasts often paid between 3 and 5 *pesos* each, but some paid as much as 9 *pesos*.

8. *Cuestionario*, II, 332ff. The *sinodales* were referred to as *obvenciones mayores* in one report. The tribute system on Indians was complex since it had been created in an *ad hoc* manner, against the legal assumptions of the period, and out of necessity to provide for the clergy. A parish with a comfortable income was that of Jalapa, where the main source of income was that of the agricultural tax (*primicias*). In Acatlán (Tuxtepec) the confraternities provided most of the income for religious ceremonies, see 344, 355. For Yucatán, Farriss corroborates that the clergy did not depend on confraternal funds for their income, see, *Maya Society under Colonial Rule*, 324-326. Parish income was a complex economic web articulating several elements to provide a living for the priesthood.

9. A few of the head parish churches (*iglesias de cabecera*) had a small extra income from pious deeds, some property or money mortgaged or small properties. For example, the church of San Pedro Etla had 1,000 *pesos* mortgaged on its favor on an *hacienda* and a house, *Cuestionario*, II, 451. See also vol. I, 158 for one of the few examples of land owned by a parish church of Tilatongo in Nochixtlan. The dependence on *hermandades* for church expenses is acknowledged in the report of Temazulapam (Teposcolula), vol. II, 252-254, where the large number of *hermandades* contributed with sufficient funds for a comfortable parish income. On *derramas*, see *Cuestionario*, II, 254, comments from the priest of Tamazulapam (Teposcolula).

10. See the reports from Teotitlán del Camino (Teotitlán), Acatlán (Tuxtepec), and Santa María Asunción Ecatepec (Yautepec), *Cuestionario*, II, 248, 344. Also, on Tlaxiaco, *Cuestionario*, II, 323-324.

11. For Lachixio see *Cuestionario*, I, 204. See also, *Cuestionario*, I, 70 and 127. For the importance of cochineal trade in the late eighteenth century, see, Brian R. Hamnett, *Politics and Trade in Southern Mexico: 1750-1821* (Cambridge, 1971), 9-23. The southern area of Miahuatlán produced high quality cochineal, see, William B. Taylor, *Landlord and*

Peasant in Colonial Oaxaca (Stanford, 1972), 94 (note). On Huahuatlilla, *Cuestionario*, I, 144. On the archbishopric of Mexico, see, Asunción Lavrin, "Mundos en contraste: cofradías rurales y urbanas en Mexico a fines del siglo XVIII," in *La iglesia en la economía de América Latina: Siglos XVI al XIX*, A. J. Bauer, ed. (Mexico, 1986), 235-276. This essay is published in an English version in *Manipulating the Saints. Religious Sodalities and Social Integration in Postconquest Latin America*, A. Meyers and D. Hopkins, eds. (Hamburg, 1988), 67-100.

12. Taylor, *Landlord and Peasant*, 15, 40, 47, 71, 74, 79, 81. For a specific study of labor and land management in the area, see Lolita Gutiérrez Brockington, *The Leverage of Labor. Managing the Cortés Haciendas in Tehuantepec, 1588-1688* (Durham, 1989). This study documents the expansion of livestock in Tehuantepec and, specifically, in the properties of Hernán Cortés and his descendants; Judith Francis Zeitlin, "Ranchers and Indians on the Southern Isthmus of Tehuantepec: Economic Change and Indigenous Survival in Colonial Mexico," *HAHR*, 69:1 (1989), 23-60. I am grateful to the authors of both studies for advance copies of their work. Brockington's work is extremely useful for identifying and documenting labor and agricultural production in the Tehuantepec area; Zeitlin's is just as helpful in discussing the indigenous adaptation to ranching and other innovations in labor and land usage. Both have been valuable in filling information gaps on the early colonial period. On the expansion of cattle throughout the first quarter of the eighteenth century, see, María de los Angeles Romero, "Evolución económica de la Mixteca Alta (Siglo XVII)," *Historia Mexicana* (hereafter *HMex*), 32:4 (1983), 496-523. For a description of cattle raising in seventeenth-century Oaxaca, see, Fr. Francisco de Burgoa, *Geográfica descripción* (2 vols., Mexico, 1934). In fact, Burgoa provides information on all elements of the rural economy. On the ownership of cattle by 1800, see *Cuestionario, passim*; and, Taylor's information on the accounts of eleven late eighteenth-century confraternities verifies the information in the *Cuestionario*: nine out of the eleven quoted confraternities relied on livestock for their income, see his *Landlord and Peasant*, 71.

13. Nochitlan, Tematlan, Tilatongo, are communities reporting ownership of cattle (*ganado vacuno*) without specifying numbers. In one or two cases the reports were illegible, the paper having been damaged by time. As an example of the problems posed by the lack of precision in the report of the number of cattle by some priests, we have the example of San Andres Tzautla, in Etla. While the *Cuestionario* cited "cierto número de cabezas de ganado mayor" and "otro corto número" for two confraternities in that town, the 1791 report cited 165 for the two sodalities and 40 head for the one in the small town of San Felipe, not mentioned in the *Cuestionario*. See, Archivo General de la Nación (hereafter, AGN), Cofradías y Archicofradías, vol. 18, exp. 3. Also, Taylor, *Landlord and Peasant*, 16. Oaxaca, confraternities had less than half as much cattle as those of Jalisco, a major cattle area. Serrera estimated about 82,000 head for the diocese of Guadalajara, see, Serrera, *Guadalajara ganadera*, 370. I have estimated the number of cattle belonging to confraternities in the archbishopric of Mexico at the end of the century in roughly 40,000 head, see Lavrin, "Mundos en contraste," 247.

14. Coixtlahuaca confraternities owned 4,616 goats. The town of San Antonio Nahuatipac (Los Cues) *sujeto* of Teotitlán del Camino (Teotitlán) owned 1,600 goats. Two towns in this area were known as Los Cues, San Antonio Nahuatipac and San Juan Tecolotlan. The report is unclear as to which one owned the goats. In Achiutla (Tlaxiaco) and its *sujetos* the *hermandades* owned 1,925 goats, see, *Cuestionario*, II, 250, 258-262, 298. Sheep and goats had become established in the cattle economy of the Mixteca in the seventeenth century, see, Romero, "Evolución económica de la Mixteca Alta."

15. See, *Cuestionario*, I, 84, for estimates for Santa Maria Asunción Petapa; Santo Domingo Zanatepec, 92 and Teozacualco, 153 and San Mateo del Mar, *Cuestionario*, II, 211. San Mateo del Mar gave the lowest assessment of 3 *pesos* per head. On Teotongo, see *Cuestionario*, II, 252-262.

16. On the *vaqueros* of Nochixtlán and Achiutla, *Cuestionario*, I, 141-149 (Nochixtlán); *Cuestionario*, II, 300 (Achiutla). On the assignment of the money, see *Cuestionario*, I, 141, 150, 154. See other examples about the towns of Itundujá (Putla) in *Cuestionario*, I,

191 and the *hermandades* of Tlaxiaco, *Cuestionario*, II, 298-321. All the *hermandades* of Tlaxiaco, where Achiutla was located, followed the same pattern of administration for cattle, sheep or goats. See also, *Cuestionario*, II, 250 (town of San Antonio Nanahuatioac, alias Los Cues, in Teotitlán del Camino). For a comparison with Yucatán confraternity-owned ranches see Farriss, *Maya Society under Colonial Rule*, 267. The examples from Guadalajara are analyzed by Serrera, *Guadalajara ganadera*, 376-381.

17. The so-called *pueblos de castas* (see García's essay in this volume) did not have any tradition of community-owned property. The priest reporting on the town of Tavela states that the masses reported in this town came from the '*caja de cofradía*' although he proceeds to say that the town owned a *rancho*, see, *Cuestionario*, II, 386-387. The *sujeto* towns of San Juan Bautista Laxarcia and San Bartolomé Yautepec owned 942 head of cattle and 310 mares, and were administered following the same pattern. For the purpose of comparison, I used the 1660 accounts of the confraternity of Santísimo Sacramento in the town of Jacona, Michoacán, which owned and sold mules and cattle. It was not an Indian confraternity, and being canonically approved, its accounts were sent to the bishop for final approval. Yet, the elected *mayordomo* had complete freedom for buying, selling and leasing animals, giving credit to buyers, etc. The inference is that since the seventeenth century rural *mayordomos* had enjoyed a considerable degree of independence to carry out daily operations and taking administrative decisions, see, Genealogical Society of Utah, Archivo Histórico del Antiguo Obispado de Michoacán (hereafter cited as UGS, AHAOM), section 1, leg. 44, reel 765274, 1660.

18. *Cuestionario*, I, 19.

19. AGN, Cofradías y Archicofradías, vol. 18, exp. 3.

20. *Cuestionario*, I, 168. The priest of Tejupa referred to the Indians' *comelitones* and how they mispent their money on such feasts, a custom he found difficult to eradicate, see, *Cuestionario*, II, 263. For a full exploration of the meaning of cargos and banquets see Farriss, *Maya Society under Colonial Rule*, 343-351. Chance and Taylor argue that the *mayordomo* role was originally of a civil nature, but that it changed to being civil-religious in its function.

21. *Cuestionario*, II, 302-304.

22. The *hermandad* of Nuestra Señora del Rosario, in the town of Miahuatlan (Miahuatlan), leased a *labor* for 125 pesos, *Cuestionario*, I, 117. The confraternity of Santísimo Sacramento in Teposcolula owned a *rancho*, which it leased. The three *hermandades* of San Pedro Etla (Etla) owned *tierras de siembra* which they cultivated. See also *Cuestionario*, I, 46, and *Cuestionario*, II, 268. The 1791 report on confraternal properties may be more accurate on reporting land ownership than the *Cuestionario*. The latter does not include the four Villas del Marquesado del Valle, which owned some land, as reported in 1791. But, as suggested by the latter report for this and other parishes, the land was described as *pedazos de tierra*, a description very similar to that of many towns in the central areas of the archbishopric of Mexico. Thus, we cannot assume that confraternities had much land or that what they owned was of great value, see, AGN, Cofradías y Archicofradías, vol. 18, exp. 2.

23. See, Taylor, *Landlord and Peasant*, 67-110. Taylor cites the case of the town of Zimatlán with "an excess of arable land and pastureland" which owned a cattle ranch "rented to a *cofradía*," 98. On the other hand by the end of the eighteenth century many indigenous areas were pressed for land, especially those surrounding the town of Antequera (p. 100). Although Taylor's work deals mostly with the Valley of Oaxaca, it indicates that competition for land among Indian communities, not to mention between Spanish estates and Indian communities, was stiff. Thus, confraternities were yet another contender in this race for land ownership. See additional information on the *hacienda* ownership of the Dominican Order in, Canterla y Martín de Tovar, *La iglesia de Oaxaca*, 124-148.

24. On Yautepec, *Cuestionario*, II, 380. See also report on an *hacienda* with 400 head of cattle belonging to the confraternity of Patrocinio del Santo Patriarca in Santa Lucía, Yautepec, *Cuestionario*, II, 374-375. All information on ownership on ranches in *Cuestionario*, II, 210-230; see also 385-389 for information on Nexapa. Interestingly enough, the

area of San Mateo del Mar was not a livestock area in the seventeenth century, see, Francisco de Burgoa, *Geográfica descripción*, II: 397. Chance and Taylor report the use of communal land to graze confraternity cattle in the Jalisco area, see their "Cofradías and Cargo," 13. On Yanhuilán, *Cuestionario*, II, 164.

25. *Cuestionario*, I, 123ff; *Cuestionario*, II, 232, 264-265. An *arroba* is equivalent to 25 *libras*. On beeswax to provide for the masses; this is the inference from the statement of the priest of Jalapa (Tuxtepec): "*y no dá el mayordomo más que la cera para la fiesta que son 4 ó 5 libras (...)*," see, *Cuestionario*, II, 356. Other wax-holding confraternities were those of Santa Catarina Quanaana (Tlaxiaco) with 9 2/3 *arrobos*; San Juan Ozolotepec (Miahuatlán), 26 *arrobos*, and Yanhuilán (Noxchitlán) with 24 1/2 *arrobos*, see, *Cuestionario*, I, 127, 164; *Cuestionario*, II, 252, 268, 328.

26. See, San Pedro Teutila, (Cuicatlan), *Cuestionario*, I, 40.

27. *Cuestionario*, I, 173 (Loxicha, Pochutla). See also report from San Mateo del Mar (Tehuantepec) and Huatla (Teotitlán), *Cuestionario*, II, 221, 232. On lost capital, see, *Cuestionario*, II, 370. Report of Santa María Asunción Ecatepec (Yautepec). In this case the money had been misplaced by the preceding generation of *mayordomos*, and their successors continued to celebrate the feasts paying what they could afford for them. Yet, the funds supporting such celebrations did not exist in cash.

28. *Cuestionario*, I, 158-159 (Tilatongo). *Cuestionario*, I, 86 (Petapa): "*Pero la independencia que se ha afectado en esta parte, resistiendose abiertamente (por no decir más) a las solicitudes e instancias parroquiales, me priva de las noticias que (...) se me manda extender.*" For Miahuatlán, see, *Cuestionario*, I, 117. San Mateo del Mar, *Cuestionario*, II, 213. Strong words were used in this report. The priest charged "*perverso manejo de los naturales de dicho pueblo y cabecera, y los continuos desfalcos que en las expresadas haciendas se notan todos los años sucesivamente sin que jamás se pueda conseguir el reintegro de semejantes fallas.*" Of the *justicias* of town he said that "*son los primeros que no solamente procuran paliar y ocultar los inicuos fraudes de aquellos sino que pasan tambien hasta el extremo de abonar y defender y tal vez con altanería y soberbia los ilegales cargos y descargos que han dado los mayordomos.*"

29. See *El obispado de Michoacán en 1765*, Isabel González Sánchez, ed. (Morelia, 1985), 242. Confraternities were not supposed to make 'profits' for the parish priest. Although the *Cuestionario* would not be the source to look for information on priests taking advantage of the *hermandades'* property, we cannot rule out that possibility, which has been verified for other areas, see accusations raised against priests appropriating *cofradía* property in Serrera, *Guadalajara ganadera*, 373ff. Van Oss, in *Catholic Colonialism* suggests that Indian confraternities in Guatemala were less aggressive and independent than *ladino* sodalities in the administration of their income and in their relationship with the parish priest. For a brief overview of rebellion and authority-challenging revolts in Oaxaca, see, Hamnett, *Politics and Trade*, 12-14; and Wasserstrom, *Class and Society*, 69-86.

30. *Cuestionario*, I, Nochitlán, 144.

31. *Cuestionario*, II, 276.

32. For examples of communities in 'debt' to the *mayordomos*, see, *Cuestionario*, *cabecera* and *sujetos* of Teococuilco (Ixtilan), *Cuestionario*, I 74 and ff.; Santo Domingo Zanatepec (Juchitán), *Cuestionario*, I, 84 and ff.; San Luis Amatlán (Miahuatlán).I, 110; Totolapan (Tlacolula), *Cuestionario*, II, 295; and Tamazulapam (Teposcolula), *Cuestionario*, II, 252 and ff. On Tehuantepec, *Cuestionario*, I, 99.

33. *Cuestionario*, II, 207. See brief comments on cotton trade with the southern coast around Jamiltepec in Hamnett, *Politics and Trade*, 2. *Cuestionario*, I, 106. Danièle Dehouve, "El pueblo de indios y el mercado: Tlapa en el siglo XVIII," in *Empresarios, indios y estado. Perfil de la economía mexicana (Siglo XVIII)*, Arij Ouweneel y Cristina Torales Pacheco, comps. (Amsterdam, 1988), 86-102.

34. *Cuestionario*, II, 354.

35. Canterla, *Iglesia de Oaxaca en el siglo XVIII*, 198; *Cuestionario*, I, 185, and 168; II, 361 ff.

36. Dehouve, "Pueblo de indios," 99. The Indian Cofradía del Santísimo Sacramento in Oaxtepec, Cuernavaca (archbishopric of Mexico) founded by an European with a donation of 500 *pesos* was reported to lend the money "a réditos usuarios." The lending of money was forbidden by the archbishop after he gave the corporation his canonical approval, see, AGN, Bienes Nacionales, leg. 585.

37. *Cuestionario*, I, 77. Asunción Lavrin, "El capital eclesiástico y las elites sociales en Nueva España," *Mexican Studies/Estudios Mexicanos*, 1:1 (1985), 1-29. See also, "Mundos en contraste," 235-276; a shorter English version of the latter appeared in *The Church and Society in Latin America*, Jeffrey A. Cole, ed. (New Orleans, 1984), 99-117.

38. Horst Pietschmann, "Agricultura e industria rural indígena en el México de la segunda mitad del siglo XVIII," in *Empresarios, indios y estado*, 71-85.

39. Gibson's theory of seventeenth century origins becomes stronger as research expands our knowledge, see, Gibson, *Aztecs under Spanish Rule*, 127-135. Early descriptions of the bishopric of Michoacán cite very few confraternities, see *El obispado de Michoacán en el siglo XVII*, Ramón López Lara, ed. (Morelia, 1973), *passim*. A mid-eighteenth-century ecclesiastical survey suggests an increase in numbers, see, González Sánchez, *El obispado de Michoacán*, *passim*. Neither of these two sources can be assumed to be complete descriptions. For Guadalajara and Oaxaca Taylor sustains the seventeenth-century origin of confraternities. My own research in the archbishopric of Mexico points in that direction, although we know that some confraternities were founded in the sixteenth century. What is apparent is that they rooted as a form of communal religious institution in the seventeenth century. Further research into ecclesiastical and judicial sources will hopefully provide more information on this important subject.

40. For a suggestive interpretation of the religious needs that led to the formation of indigenous *hermandades* in central Mexico, see, Serge Gruzinski, *La colonisation de l'imaginaire* (Paris, 1988), 315-319. In seventeenth-century Tehuantepec, Indian *barrios* had their own *ermitas*, places of devotion where they gathered to sing before attending the Rosary prayer. It may be hypothesized that such local centers of devotion could have been the primary nuclei from which *barrio hermandades* evolved, see Gruzinski's essay in this volume, and, Burgoa, *Geográfica descripción*, II, 390. On informal sodalities in New Spain in general, see, AGN, Bienes Nacionales, leg. 585; see also Lavrin, "Mundos en contraste," *passim*. I have consulted the foundation proceedings of many *cofradías* for this synthesis. As a manner of example of archival resources, see, GSU, AHAOM, section 2, leg. 76, reel 757243 (1687), Foundation of Ntra. Sra. de la Animas, Chilcota (Michoacán), and Foundation of Confraternity of Jesús Nazareno (1687); section 5, leg. 254, reel 753975, Constituciones de la Cofradía de Nuestra Señora de la Purificación, Río Verde, Michoacán, 1756; section 5, leg. 235, reel 772320, Fundación de la Cofradía de San Joseph in the parish of Chilcota, 1760, and Fundación de la Archicofradía del Cordón de Nuestro Señor San Francisco in the parish church of Pénjamo (Michoacán), 1760. See also, Asunción Lavrin, "La congregación de San Pedro: una cofradía urbana del México colonial, 1640-1730," in *Historia Mexicana* (hereafter *HMex*), 29:4 (1980), 562-601; Richard Greenleaf, "The Inquisition Brotherhood: la Cofradía de San Pedro Martir of Colonial Mexico," in *The Americas*, 40:2 (1983), 171-207.

41. AGN, Bienes Nacionales, leg. 585. Archbishop Payo Enríquez de Ribera (1668-1681) mounted a drive to 'regularize' the status of many non-canonical *hermandades*. Many documents of 'foundation' date from his period. For an example of the surveyance exerted by the clergy and the bishop over canonically established confraternities in Michoacán, see the petition for renewal of the lease of some lands belonging to the Indian *cofradía* Nuestra Señora de la Limpia Concepción in the town of La Guacana, Michoacán. The community property *bienes de comunidad* were clearly separate from the confraternity's property, GSU, AHAOM, section 5, leg. 174, reel 768731, 1744.

42. AGN, Bienes Nacionales, leg. 585. The report for Tulantongo in Texcoco stated that many *barrios* and *pueblos* organized *hermandades* which they sustained with their own monthly contributions. The task of organizing these sodalities was almost spontaneous, since the priest stated that the *curato* was very distant and the ecclesiastical authorities

had not taken charge of these institutions, lacking all knowledge about them, *Cuestionario*, I, 3-18.

43. AGN, Bienes Nacionales, leg. 585. See, for example, the confraternity of Nuestra Señora de la Soledad, "de españoles solamente," in Chiquautla or those of Animas del Purgatorio in Chilpancingo and Señor Sacramentado in Coyoacán. González Sánchez, *El obispado de Michoacán*, 115-116. For further data on confraternities of *castas*, see, Elinore M. Barrett, "Indian Community Lands in the *tierra caliente* of Michoacán," in *JbLA*, 11 (1974), 78-120. For examples of confraternities of Indians and whites and of Indians and *castas*, see, Nuestra Señora del Carmen in Papalotla, Texcoco, Benditas Almas in Cardonal and two dedicated to El Divinísimo Señor in San José de Tula and Alfoxayuca. GSU, AHAOM, section 2, leg. 76, reel 757243, 1687, section 2, leg. 56, reel 765260, 1676.

44. For Yucatán see Farriss, *Maya Society under Colonial Rule*, 267-268, and, "Propiedades territoriales en Yucatán en la época colonial: Algunas observaciones acerca de la pobreza española y la autonomía indígena," in *HMex*, 30:2 (1980), 153-208. Ramón Serrera Contreras discussed the role of confraternities in Jalisco in some detail, see his, *Guadalajara ganadera*. See also Chance and Taylor, "Cofradías and Cargos," 9-10. Romero, "Evolución económica de la Mixteca Alta," *passim*.

45. The *prioste* (administrator) of the Sinagua, a very poor Indian town in Michoacán, had received permission from the parish priest to kill one or two head of cattle from the confraternity's herd to help the community in times of need, see González Sánchez, *El obispado de Michoacán*, 241. See also Farriss, *Maya Society under Colonial Rule*, 270. For an over-all appraisal of the economy in colonial Oaxaca, see, *Fluctuaciones económicas en Oaxaca durante el siglo XVIII*, Elías Trabulse, coord. (Mexico, 1979), see, especially, 45-47.

46. AGN. Cofradías y Archicofradías, vol. 18, exps. 2 and 3 (1791). The report of the intendant of Oaxaca, Antonio de Mora y Peysal, acknowledged that the episcopal attempt to cut down the number of confraternities had met with little success. He regarded a limitation in the number of confraternities and a regulation of the administration of their income as important priorities. Like many other bureaucrats he probably believed in the incompetence of his predecessors and his own ability to reform the situation. The confusion between *bienes de comunidad* and confraternity property by an intendant in Guadalajara caused a full investigation of the matter eventually elucidated by the Council of Indies in 1791, see, Serrera, *Guadalajara ganadera*, 354, note 54. See, Nancy M. Farriss, *Crown and Clergy in Colonial Mexico, 1759-1821* (London, 1968), 87-108; Lavrin, "Mundos en contraste"; Chance and Taylor, "Cofradía and Cargos"; Farriss, *Maya Society under Colonial Rule*, 359-366.

**Community Discourse: A Family
Conflict in Eighteenth-Century
Coyotepec, Oaxaca**

LOTTE DE JONG*

University of Amsterdam

INTRODUCTION: THE MORAL ECONOMY

The lack of original source material makes the study of illiterate groups in previous societies difficult. Nevertheless, some archival information about conflict situations such as riots survived. These have been studied and interpreted as being the simple response to economic stimuli, while the possibility that they were selfconscious or self-activating was long denied. In opposition to this view the English historian E. P. Thompson has stated that almost every action of the crowd in eighteenth century England had some legitimizing notion.¹ According to Thompson the crowd believed that it was defending traditional rights or customs, and that it was supported by the wider consensus of the community to which it belonged. An attack on the moral assumptions was as much a cause of direct action as actual physical deprivation. This moral economy held notions of the common weal, which indeed found support from the paternalistic tradition of the authorities:²

"It is of course true that riots were triggered off by soaring prices, by malpractices among dealers, or by hunger. But these grievances operated within a popular consensus as to what were legitimate and what were illegitimate practices in marketing, milling, baking, etc. This in turn was grounded upon a consistent

* This research has been made possible by subsidy from the Stichting W.S.O.. I am very grateful to Arij Ouweneel from the CEDLA, Amsterdam, for his advice and supervision. Nevertheless I remain responsible for the final draft. In Mexico a great many people offered their help, but I would especially like to thank in Mexico City María Cristina Torales and Julia Emilia Palacios Franco from the Universidad Iberoamericana, whose help and kindness were immense. In Oaxaca City I received a great deal of help and stimulus from María de los Angeles Romero Frizzi, Manuel Esparza and Rosalba Montiel. In Amsterdam I would like to thank Tjitske van der Werff who typed the endless stream of corrections from the entire research, gave me valuable suggestions and constant moral support.

traditional view of social norms and obligations, of the proper economic functions of several parties within the community, which, taken together, can be said to constitute the moral economy of the poor."

A riot is only one of the several ways of asserting the traditional moral economy against the newer political economy of the market place; the moral economy itself was always there, just under the surface, and it impinged very generally upon eighteenth century government and thought and not only during times of disturbance.³

Stimulated by Thompson's moral economy hypothesis, a debate was launched in the historical journal *Past and Present*. In opposition, Dale Edward Williams declared that many areas in England in the eighteenth century were free from riots, and consequently the populace in those districts were not thinking in terms of a moral economy. Andrew Charlesworth and Adrian J. Randall defended Thompson's hypothesis by disputing Williams' arguments.⁴ It is interesting to note, that Williams related the moral economy exclusively with riots, which is not at all, as can be seen above, what Thompson meant. It is the "*consistent traditional view on social norms and obligations*" that must be analyzed. Thompson's hypothesis was based on a study of one particular period in British history: the eighteenth century. Several historians have approached other periods, or areas of England in a similar manner. Alan Booth defends this method and states that such initial thematic explorations provide a conceptual framework which must first be examined on a regional basis in order to test and elaborate national generalizations.⁵

But the problem remains that there are no surviving direct testimonies of the daily experiences of the poor and often illiterate classes. There is source material but, as Carlo Ginzburg has said, this tends to be secondhand and twice removed, because it was written down mostly by people who belonged to the ruling classes, making it inevitable that the descriptions of culture and religious beliefs nearly always reach us through the distorting filter of an intermediary. According to Ginzburg, however, it is possible to allow for this distortion and to make careful use of the source material.⁶

In addition to Ginzburg's well known work, David Sabeen confirmed that many of the problems of studying peasant cultures of the past is caused precisely by the indirectness of the testimonies. Whatever original material is referred to, it always relates to those groups of people who dominated the peasant classes. Nevertheless, Sabeen as well believes that positive use can be made of this, since it provides information about the relationship of domination. More explicitly, James C. Scott, a well known student of peasant politics, works with the moral economy hypothesis as an operational method; analyzing among other things, the use of words as an indication of underlying feelings. This echoes Thompson's hypothesis that popular action like food riots were '*threats of class war*'. Peter Burke suggests possibilities of overcoming the problems and one of these is using a compara-

tive method: making a comparison with other periods in history and other cultures, including the modern.⁷

The material most often used in an analysis of peasant culture consists of written legal documents. The importance of judicial documents in the Mexican colonial period cannot be overestimated, since the Spanish rulers were very legalistminded and put a lot of time and effort into the handling of court cases. They always made a great deal of use of personal testimonies. Although the documents were generally not written by the Indians themselves, they do serve as a direct transcript of what they said. In most cases these documents provide a minibiography of the people involved. The evidence of witnesses is written down *verbatim*, and they provide much insight into the social aspects of life. These are manifestations of common importance, and in situations of unrest or protest they indicate the *mores* of the people, and reveal aspects of the norms and the general expectations. The witnesses not only mention factual data but also their own unsolicited comments on the character of the inhabitants. In sum, they can be analysed along the lines suggested by Ginzburg, Sabeau, Burke and Scott.

Inheritance provides an important means of studying the moral economy of a community, the "*consistent traditional view on social norms and obligations*," because it can be related to the social system in the same way. An inheritance is made up of the material possessions necessary to life. With the transfer of goods and property both the social structure and the individual needs of the people can be seen. It deals with close family and distant relatives. It demonstrates the rights and the duties to each other, and thus it is an emotional affair. An inheritance demonstrates not only the material expectations, but also the structuring of mutual aid, assistance and care.⁸ One case that can be discussed in this way contains information on a conflict over the inheritance of Pasquala del Spiritu Santo, an eighteenth-century woman who lived in Coyotepec near the city of Oaxaca, between her son and her husband (who was the son's stepfather).⁹ The court actions took place between January 1766 and August 1767, but at the end of that time the case was still unresolved. Both parties had occasions when they seemed to be the stronger. Because of the great number of witnesses one gets a vivid picture of the funeral and the relationships between the various members of the family and the community.

My aim has been to make a study of the lives of Mexican peasants during the period at the end of colonial rule. For my regional inquiry the Thompson hypothesis is a good one to work with. A regional study provides a concentration of source material which gives good insight into the moral economy of the people. Drawing on information resulting from research on the community of Coyotepec in Oaxaca, this chapter will discuss some characteristics of such a moral economy in a colonial Mexican village.¹⁰

RECONSTRUCTION OF THE PROBLEMS CAUSED
BY PASQUALA DEL ESPIRITU SANTO'S INHERITANCE

In this section I would like to introduce the main characters and describe the legal proceedings involved. I use the names as they appear in the documents, although these were often nicknames. The heroine is called Pasquala del Spiritu Santo, a woman who had been married three times. She had one child from her second marriage, Lucas López Pajarito. Her third husband, Felíz Antonio, was the only living husband at the time of her death. She had born him two girls. Both girls were minors at the death of their mother.¹¹

The trial opened on 10 March 1766 when the *corregidor* of Oaxaca received a petition of Lucas, the son of Pasquala.¹² Lucas explained to him that since his mother's death an inventory had been made of her possessions by the taxcollector and judge of Zaachila, Don Juan Antonio Ximenes. Lucas stated that he had told Ximenes that his stepfather Felíz had concealed many of the goods that should have been included in the inventory. Ximenes had not listened to him. Later on it appeared that Ximenes's *escribano* (clerk) had lost the inventory. So there was now a good reason for Lucas to request the *corregidor* to have Ximenes draft a new inventory mentioning all the goods and charge it to whoever he saw fit. Lucas also asked the *corregidor* to order Felíz, his stepfather, to answer a questionnaire with three items, which Lucas -and that is important- had drafted himself.

The first question was whether Ignacio Sánchez, an inhabitant of Coyotepec, possessed a chest containing clothes and money. The case was, that Lucas declared on forehand that if Felíz would deny, he was lying and that he still had to tell what he took out of the chest. Lucas declared that his deceased mother had put this chest into the keeping of Ignacio and was demanding that Felíz reveal whether he had removed this chest from Ignacio's house or not. Felíz was also asked to say how much money he had dug up from the *nopalera* (a small plot with nopal cactus for breeding cochineal-lice) on the day of the funeral. This money, according to Lucas, should have been included in the inventory. The third question was: how long had Felíz been married to Pasquala and how rich was he when he married her, and if he then owned the same goods as later on. Lucas requested the *corregidor* that Felíz should show all his goods to the court after having answered all the three questions. The *corregidor* complied with the petition and indeed ordered Felíz to answer the questions, after the *escribano* was heard.

A curious role was played by the *escribano*. He explained in his statement what had happened on the 4th of March, when the first inventory was made. It appeared on this occasion that Felíz had withheld goods and as a result he was sent to prison in Coyotepec. On the orders of Ximenes, the *escribano's* superior, the goods were seized and placed indeposit by Bartholomé López, a *cacique* and *indio principal* of Coyotepec.¹³ This transaction was written by the *escribano* and

witnessed by, among others, the *gobernador* (Indian mayor) of the village, a process that took two days. The *escribano* had the papers in his possession and on the eights of March he took them with him to Oaxaca. On the tenth he returned to Coyotepec to finish the work. At ten o'clock in the morning, he arrived with a case containing a linen wrapper with the notes written during the previous days, and the will. He asked whether Ximenes had yet arrived from Zaachila. This was so, but he was pointed to the fact that he was losing papers from the wrapper. When he had a closer look, he came to the conclusion that the most important papers which had been in the wrapper, including the will, had disappeared. He then went with a servant to look for them on the road, but -as witnesses later certified- they did not find anything. The *escribano* remembered that in those papers there was a statement from Felíz in which he declared that he knew nothing of the chest in the *nopalera* and that this had to have been open before the funeral. With regard to the chest in Ignacio Sánchez's house, Felíz had declared that he did not remember having opened it, but if he had opened it, it must have been to take out some clothes to dress Pasquala for the funeral.

On March 11 Ximenes called Felíz to answer Lucas' questionnaire. After taking an oath, Felíz declared this time that he indeed had taken clothes out of the chest at Ignacio Sánchez house. He did not know why his wife had not mentioned this chest in her will. With regard to the open chest in the *nopalera* he continued to say that he had realised that it was open just after his wife's burial. In answer of the third question Felíz declared that he had been married to Pasquala for approximately fifteen years, and that he had had his own possessions when he married her. Those possessions included *grana* (cochineal) and *nopales*, which he still owned.

The *corregidor* proceeded by hearing Ignacio Sánchez, who appeared to be a stepson of Pasquala. He could explain why Pasquala had left the chest in his house: she had been afraid of theft. He did not know what had been in the chest nor what Felíz had taken out of it. Although he had been present at the burial, he declared that he knew nothing about money being dug up in the *nopalera*. As this information did not bring any further help, the *corregidor* ordered Ximenes to have a look at the open chest and the *nopalera*. But as Ximenes could not find any more clues he was ordered to proceed by hearing more witnesses:

- one villager stated that on the 7th of March, Felíz had asked her to look after a mourning cloth and a blanket;
- Pasquala's servant declared that he had gone with Felíz on 27 February to the house of an other villager, where Felíz had left a bundle of papers and some beeswax; he also had noted Felíz' dismay, when, after the death of Pasquala, he saw the open chest in the *nopalera*;
- a villager declared that on 27 of February, Felíz and the servant had asked him to look after six candles, two large beeswax

candles, a bundle of papers, a blue shawl, other clothes and twelve *pesos* in *reales*; he handed those goods to Bartholomé; - a certain Prado, one of the guests at the funeral meal, declared that Feliz and Ignacio Sánchez had gone into the *nopalera*, when the tables had already been prepared. They had reappeared when the meal was over. He had not seen if they had taken something out of the *nopalera*, but Feliz had told him at another occasion that the will was bad because it did not mention money for the funeral. Therefore he believed that there was money for the funeral hidden in the *nopalera* and that Feliz had stolen it during the funeral meal.

The next step taken was the making of a new inventory. The same witnesses were called and the goods continued to be kept in custody by Bartholomé. The *escribano* made notes of the inventory and sent it to the *corregidor*, along with an apology for the delay. Here the first stage of the trial ended.

The second stage started on the 23th of August with Lucas complaining to the *corregidor*.¹⁴ The delay was damaging to him, and he did not want to extend matters any longer. The *corregidor* sent him the proceedings on the matter and on 13 September Lucas gave his reaction, asking for twenty *pesos* (the value of the *grana*, which was in the possession of Ximenes). Since the other goods were in the possession of Don Bartholomé López, the *corregidor* asked him to pay these costs. The *escribano* handed seven *pesos* over to Lucas, without explaining why the remainder was not paid. On 30 September it was Feliz's turn to explain his position to the *corregidor*. He stated that his wife, Pasquala, had made a will before she died. His stepson, Lucas, would have a grudge against him and had therefore been lying to Ximenes when he said that Pasquala had died intestate. Ximenes had therefore made no difference between the goods that were his own and the goods that had belonged to his wife. As a result Lucas had been blaming him for keeping back certain goods and that was probably the reason that he was put into prison. He had been in prison for seven months, without officially hearing the reason for it. Furthermore he complained that he had not been summoned, not even for the smallest legal aspects of the case, which in fact should be the most crucial for a legal proceeding. Feliz pleaded to be temporary released from prison to prove his innocence and to get the money to defend himself. This request was granted and the *corregidor* sent him the papers concerning this matter.

In the meanwhile the *corregidor* received another two petitions from Lucas. He had made a list of the goods Feliz was supposed to keep back. This included wheat, cochineal and the money which Feliz would have stolen from the *nopalera*. Furthermore Feliz would have told him that Pasquala had sold twelve *magueyes* to pay the funeral. Those *magueyes* were planted behind Lucas' house and his wife indeed had noted that these were sold to María Rosa, an inhabitant of Coyotepec, after Pasquala's death. The money from the sale was mis-

sing now, since according to Lucas the money to pay for the funeral came from an other source out of the inheritance. According to Lucas the *magueyes* which Felíz sold was his part of the inheritance. To make things worse he had heard that María Rosa had been allowed by the court of Coyotepec to grate twelve pieces of the *magueyes* to make *pulque* (a beverage). Lucas blamed the court for not being heard in this matter. He stated therefore that the sale should be annulled, and that María Rosa had to be notified to give him back the *magueyes* and pay for the part that had been used. To conclude, Lucas suggested that the goods in possession of Bartholomé be handed over to him and to his two younger sisters who were living with him. He stated that they were Pasquala's rightful heirs, and at the moment they were unjustly deprived of the use of the goods.

On 9 December the *corregidor* took the testimony of María Rosa. Her version of this matter was that Pasquala would have made a clause in her will in which she gave Felíz the right to sell 24 *magueyes* to pay for the funeral. According to this clause Felíz had sold the *magueyes* and she had already grated twelve of them without hearing any protest. It was with the grating of the next twelve that Lucas had come in without authority and had taken away the produced *aguamiel* (honeywater, the *maguey*-juice out of which the *pulque* was made). María Rosa insisted that the sale was justified and pointing at the inventory of Pasquala's goods, she stated that the 24 *magueyes* were not included because they had already been sold. She concluded by saying that Lucas was trying to insult her. This brought, she thought, the bad feelings of Lucas to light; it showed that he had been hiding information and that he had been making expensive journeys to the city to tell his lies instead of looking after his ground at home.

Three days later Felíz's reaction of the proceedings was received by the *corregidor*, who was angry that legal steps had been taken without him being summoned. His opinion is notable: clear action had to be taken because this was a case amongst Indians. He stated his suggestion for action as follows:

- all legal steps should be examined;
- the goods should be handed over to the heirs;
- Lucas should pay for the courts costs, the costs of the goods he had been holding back, and also for the costs of the goods in deposit, which had been damaged as a result of the delay for which Lucas was responsible.

In the second part of his reaction Felíz stated that Lucas' deceitfulness was as clear as daylight and that he should not be given more time to decide which of Pasquala's goods he could take away. He also accused the *escribano* and quoted the law:

"The escribano was the central pivot in the whole dealings and he lost the will by accident or by purpose. The fact is that I have given him the will, but he pretends to have lost it because he wishes to damage me even more. Even if my wife had died in-

testate, the inventory and the legal actions would be worthless. Our Catholic Monarch has made special stipulations for such cases in his royal laws. If someone dies intestate then according to the laws of succession, all his goods go to the family. The goods are not itemized, nor are they held in custody. In conclusion, the goods had to be handed over, especially since Bartholomé is himself seeking to benefit from the goods which he is holding in his care. He is suggesting giving them all to my stepson. It suits his purpose if the proceedings are delayed still further. And even if the deposit of the goods is not stopped, then I want them to go to someone else."

Along with his reaction Feliz sent a copy of the will. He declared that the copy was legal as it was drawn up in presence of witnesses on the same day as the original.

At this moment in the case, the *corregidor* decided to get some legal advice from a *asesor letrado*, an official with legal schooling. This proved to be difficult. The first person contacted answered that he was too busy. The second also refused and the third contacted declared that he was ill. It was the fourth *asesor* invited to do the job who eventually accepted. Immediately Feliz reacted by declaring that Bartholomé, as guardian of the goods, had to pay for the costs. He also should pay the community of Coyotepec, according to the manner and custom of the people. The *corregidor* indeed ordered the collection of the money from Bartholomé. But the *corregidor* was notified that Bartholomé's mother had informed him that Bartholomé had gone away for a month. On advice from Feliz, the *corregidor* tried then to have Lucas pay for the fee of the *asesor*, because he had taken the twelve *magueyes*. No surprise to learn that in this instance Lucas had also gone into hiding and his wife stated that he had not received interest to pay for the costs.

On 1 April, the *corregidor* received another response from Feliz, It became clear that the situation was changing. Lucas, who initiated the whole court procedure was losing confidence since Feliz's release from prison. He failed to answer Feliz's charges within the allotted time. Feliz declared that this delay was a further damage to him, on top of that caused by his time in prison. He blamed Lucas for *rebel-día* (legal obstruction), an important step in the procedure, and the *corregidor* ordered on his advice that Lucas answer within two days, without granting him a second or third term. As Lucas still failed to answer, Feliz blamed him again for *rebeldía*.

The case was reaching the top. One month later, still nothing was heard from Lucas and Feliz, in the meanwhile, continued to influence the *corregidor* and also the *asesor letrado*. He stated that even if Lucas did not acknowledge the validity of the will, there were sufficient witnesses who would swear to its legitimacy and that the *corregidor* should rely on the strength of the *holy oath*. The *asesor letrado* decided to hear four witnesses who were all signatories of the original will and the copy. They all declared that the copy was the same as

the original for which they were signatories. In the same week the *corregidor* was contacted by Bartholomé, who asked him to be released from his duty as guardian of the goods. The reason was that Lucas was making things difficult for him. Bartholomé said that Lucas was dissatisfied with the inheritance and therefore made use of the goods on his own authority. He had already sold pigs and oxen and had leased animals to a *hacienda* and refused to work. And finally, on 13 July, the *corregidor* received the verdict of the *asesor letrado*, who believed that the authenticity of Pasquala's will had been sufficiently proved. So it followed that the deceased died testate, and had named her husband Felíz as her executor. The seized goods were to be given to him and to the two girls. This was with the exception of the child's portion that Lucas was to inherit. There should be redress for the goods that had been stolen. The legal costs were to be deducted from the accounts for the execution of the will. Immediately after passing this verdict, the *escribano* gave the *asesor* his fee.

Ten days later the goods were distributed. The *escribano* checked the inventory with the goods that Bartholomé handed over and marked the missing items with a cross. It is interesting to see, that while the articles which were produced were mostly small household effects, the more valuable items such as land, houses, *nopales* and *magueyes* were marked with a cross. It was decided that Bartholomé was going to produce them or make an account of it before the following Tuesday. But apparently he did not do this, because on 31 August the *corregidor* received a complaint of this matter from Felíz. He stated that Bartholomé had still not complied with the order to give a complete account of the goods marked with a cross. He advised the *corregidor* to accompany the order with a serious warning because of Bartholomé's obstinacy and lack of respect. Moreover, he should also pay all the extra costs. For that reason, the *corregidor* ordered the *escribano* to search for Bartholomé. From him he learned that Bartholomé had still not returned nor had he produced the required explanation for the, valuable, missing goods. The *asesor letrado* had in the meantime ordered Bartholomé to pay for the legal costs. He had also not complied with that order. Felíz had been given some livestock from the inheritance to pay his fee as the executor of the will, but it appeared that he also had not paid either. The *corregidor* ordered him to pay or face to go to prison for the second time.

The case did not reach a conclusion with these orders. In the last section that has been preserved in the archives at Oaxaca, it can be seen that Bartholomé had still not sent in the required accounts.¹⁵ Of this section only one petition from Felíz survived, but without an accompanying answer, and unfortunately the document is not dated. The petition dealt with events from the previous autumn of 1766, so it must have been written in 1767. In this petition Felíz gave a complete summary of all the events from the *escribano* losing the papers up to Bartholomé's refusal to give an account of the missing goods. The innovation is that Felíz mentioned that he had turned to the *juez*

de la residencia (the judge for a temporary investigation). This did not produce any result because Bartholomé had been hiding in the church till the *residencia* was over. Feliz even mentioned in this petition that Bartholomé was threatening him and had stolen some maize from him.

OBSERVATIONS

From these documents one gains an insight into the relations between various members of one family, as well as their relationships with other members of the local community, exemplified by events which took place around a funeral. This case raises the following points to discuss in more detail:

- the community discourse, the moral economy within the community,
- the authorities in relation to the moral economy: a search for a consensus,
- the oath, the villagers and the law,
- the religion,
- the traditions of inheritance.

It can be seen that there were tensions within the family circle with everybody blaming each other, and also that other members of the village community were drawn in as well. When the *escribano* arrived at Coyotepec he asked a villager whether Ximenés had already arrived. The arrival of a judge in a village is an event that everyone would know about at once. There were also villagers present at the funeral. That is nothing extraordinary in itself, but they were drawn into the suspicious events which took place at the time of the burial. Feliz asked for mourning clothes, clothes of the deceased and candles to be looked after for him. These objects became part of the conflict when Lucas said that they were part of the inheritance. At that moment everybody involved along with Feliz' servant were asked to testify. During the funeral meal money was taken from the *nopalera* and one of the guests gave evidence about this.

The accusations among the members of the family and the villagers were emotional attacks on each other's character, and also they reveal obligations that have not been kept. Lucas said that Feliz denied the existence of a will because he had a grudge against him. Doña María Rosa even mentioned Lucas' wicked intentions. Feliz said that Lucas' deceit was as clear as daylight. The parties concerned accused each other of failing in their duty and on a personal level they said that they were insincere and motivated by self-interest. A failure to comply with duty, or with custom was considered very bad indeed and they often made reference to 'as is the manner and custom'. Failure in duties was also explained as being a character fault. So Feliz uttered that Bartholomé was on Lucas' side while Bartholomé asked to

be relieved of his duties because Lucas was obstructing him. The mutual demands for doing one's duty are made more important than the defence of the individual's right of ownership.

In these events we can recognise what Sabeán has called the distinguishing marks of a community. Community is a matter of mediations and reciprocities. What makes a community possible is the fact that it involves a series of mediated relationships. One central aspect of mediation is of course provided by property, access to resources, the apportionment of rights and claims, and the acceptance of obligations and duties. Other forms of mediation can be found within the sphere of production and exchange, or in the sphere of social value, the way for example honour is allocated. By emphasizing relationships it can be seen that the community includes both negative and positive elements, *sharing* as well as *conflict*.¹⁶ In this mediation and reciprocity the moral economy of the villagers is expressed. The way in which people formulate their thoughts, the discourse within which alternative strategies, misunderstandings, aims and values are battled for, all this forms part of the moral economy of the peasants and was the basis of their community. This is what Sabeán calls the *Rede* or *raisonnement*.¹⁷ The discourse as a whole is important and within that the emphasis is on the exchange of ideas.

The community with its moral economy is related to the authorities within the society. The relationship between the villagers and the authorities can be seen in this court case. What is most striking, is the length of time that the proceedings went on. One can presume that the case lasted for years. The fact that Feliz gave in this last petition such a complete summary of all the events could be because so much time had elapsed between the last petition from the second section of documents, so that he felt it necessary to refresh the minds of the authorities. But it could also be because Feliz had applied to a higher court, such as the *Audiencia*, where the case was still unknown. However the tone of the petition and Feliz's resort to higher authorities suggests that the case was not going to reach a speedy conclusion. With the other court cases in Coyotepec of this period that I consulted, this interminable quality can also be seen. For today's modern world such lengthy litigation would be unthinkable, since we are used to courts where the defendant and the accuser, the witnesses and the specialists give their evidence and then the judge's verdict is quickly reached and final. It is possible to go to a higher court, but not many times over. The aim of the courts of those early modern times was very different: the authorities were looking for a consensus of opinion within the community to avoid *rebeldía* or riot. Feliz accused Lucas of *rebeldía*, and the authorities tried to mediate and force Lucas to formulate his opinion and thus to participate in community discourse. That is the reason why the persons concerned, drafted their own questions to those being prosecuted. The court itself was relatively passive and waiting.

A couple of people refused to the role of *asesor letrado*, perhaps because they felt unsure of finding a consensus. It is only when such a consensus was reached that the case could be speedily concluded. In very important cases, when the authorities were afraid of a division within the village community, there was an attempt to reach a conclusion quickly, and only then the authorities themselves grew active and willing to take drastic measures. Sabeán argues that such passivity was indeed expected from the state. The power of authority of the state was only legitimate when balanced by the just conduct of the state towards the populace.¹⁸ Anthony McFarlane shows for the case of New Granada that what people mean by just conduct is when the authority is handled in accordance with local interests, and the villagers' own view of what is right and just is respected.¹⁹ It has been seen that Felíz, Lucas and others all mentioned in their petitions what they felt in their opinion the *corregidor* should do. Of course, a search for a consensus often took a form of compromise verdict. The *asesor letrado* who accepted the case gave Lucas the child's part of the inheritance even though this was not specified in the will.

It was important in the whole proceedings and in the search for a consensus that the suspects and the witnesses took an oath before God and before his earthly representative, the judge. The oath was part of the discourse and a sanction against lying and discord. The implications of taking an oath were very great at this time. Someone who took an oath was risking his soul, the eternal peace in Heaven. This consequence reduced the chance of deceit. In several documents I came across information in which the defendant or witness wished to escape at the moment when he was asked to take an oath, because this was the moment when lying was going to have far-reaching metaphysical consequences. Taking an oath was a serious matter in which the person concerned was sure he could bring everlasting disaster onto himself. Therefore it had more effect than any kind of physical or other mental pressure. There have been a couple of examples of this in the Pasquala case. The witness Prado ends his testimony with the remark that he came once in conflict with the law, but still remained faithful to his oath. By taking an oath he was proving that he would tell the truth. Felíz based himself on the power of the oath. He claimed that the copy of the will was genuine because the witnesses had said it was under oath. He said that the *corregidor* had to trust the "*holy religion of the oath*," and this he did.

One thing that was most striking in the colonial period was the frequency with which the Indians appeared in court. A legal process cost a lot of money but was a means of securing justice. A case could go on for years and often there were more legal costs than the amount of money being fought for. In spite of the financial sacrifices of the Indians, a lawsuit was a way of keeping the Indian morale high.²⁰ The duration of a law case and the costs it entailed was a recurrent element in all documents. There were various kinds of costs. In the Pas-

quala case Lucas and Felíz were accusing each other of delaying the process of justice while the goods were deteriorating. There was also mention of the costs of the case itself and their payments became indeed part of the conflict. At certain moments both Lucas and Felíz demanded that the other one pay for these costs, since they were responsible for the delay. Also the *asesor letrado* had to be paid and first Bartholomé was asked to do so and then Lucas, although both were hiding at that moment. The emphasis put upon the costs, the reason why they were a crucial part of the conflict, was because they were obstructing a consensus. In spite of the costs it was important for the Indians to continue with the case. Taylor mentions the very eccentric history of an Indian in the eighteenth century who pawned all his goods and sailed to Spain to give a direct reply to the King.²¹ On October 19th, 1799 the Viceroy complained about the endless stream of Indians coming to the courts in Mexico City. He wanted to bring this to an end. In the case of the inheritance of Pasquala, we have seen the stubbornness with which the parties proceeded in spite of the increasing costs. Felíz requested that he be let out of prison in order to get the money needed to pay his council and the legal costs. Doña Rosa said in her testimony that Lucas incurred a lot of costs by travelling to the city and staying away from home. So there were the legal costs, travelling costs, inability to take care of the land, and the deterioration of the value of the goods in custody.

It is clear that the costs were greater in higher courts which were further away and based in the provincial capital of Oaxaca or even in Mexico City. The Indians trusted the higher courts more than the local ones. This suspicion of the lower courts was particularly marked because they knew the persons involved and could accuse them of bias. The *Audiencia* was further away, but, as we have seen, was above all closer to the King, who governed with Divine Right. In the Pasquala case the will had to be first dealt with by the local judge Ximenes. Later he also dealt with the matter, but he had to explain himself to the *corregidor*. Eventually the *corregidor* even took on an *asesor letrado* and from Felíz' last petition we know that he turned to the *juez de la residencia*. He said that Ximenes probably lost the will intentionally, and refused to listen to his testimony which legally he was bound to do, and put him in prison without giving a reason. This was why he approached a higher court. In the archives of Oaxaca I came across the account of another trial in which Ximenes was involved. In this document, dated 1765, he was accused by the inhabitants of Coyotepec of *ojariza*, namely demanding unauthorised payments and benefits when he visited Coyotepec.²²

Another important point that can be seen from the testimonies and in the petitions was the Indians' knowledge of legal matters. Lucas gave a well structured argument as to why the sale of the *magueyes* to María Rosa not only should be annulled, but from a judicial viewpoint the sale had never happened. Felíz stated that juridical faults had been committed. He never had been interrogated even on the

smallest issues, and the right to explain one's position is the most fundamental legal right. Felíz also cited the laws of inheritance. He stated that Our Catholic Monarch had made laws in which was declared that if there is no will then the goods should not be impounded but be given to the family. I came across this type of reasoning in several of the documents: one party declared that even if the other party is in the right, which he doubts, then nevertheless there are other reasons why his arguments had not been relied upon. In this instance Felíz declared that there was a will, but even if there was not a will Lucas would still be in the wrong. Although this was a valid legal argument, I came across other examples which were not so strongly based. In one case Felíz swore that he did not open the chest at Ignacio Sánchez's, but even if he had, it was only to take out clothes in which to dress the deceased, according to the instructions of the will.

The law could be interpreted in various ways, but with these examples I want to demonstrate how the villagers made use of its flexibility.²³ The different interpretations of the law can be found in many of the testimonies, and the fact of there being so many testimonies points to an attempt by the authorities to maintain tranquility within the community by finding a consensus. If everyone was involved in a case, then there was an increased possibility that those with a deviant opinion would keep quiet. The witnesses not only gave a description of the events which took place but also provided an opinion and a judgment on the characters of the people involved. Witnesses were found for every detail. After the *escribano* had realised that he had lost the papers, he searched the road in the presence of a witness. He stated that the people who saw him looking, could certify that he found nothing. Witnesses were called in connection with the events which took place at the burial, the finding of the open chest, and the placing of certain goods in custody. An example of how an interpretation of these events was made, came from Prado who was present at the burial meal. He saw Felíz and Ignacio enter the *nopalera* and remain there for some time, and in his opinion Felíz took money out of it. This was not because he saw the theft but because Felíz had argued that the will was not good since it provided no money for the burial, so it had seem reasonable to assume, according to Prado, that the money was hidden in the *nopalera*.

The documents show that the Indians were described as *miserables* and *menores*. In the colonial period the Indians were seen as children, and therefore "*gente sin razon*." Children have no power of reasoning and need to be educated. This education or legal protection, or *tutela* was the task of *El Rey Padre* -the King-, and the Church and it is reflected in the laws and juridical processes. The concept of *miserables* appeared in 1680 in the *Recopilacion de Leyes de los Reynos de las Indias*, and in this text the implication of being *miserables* was defined.²⁴

- reduction or elimination of legal costs and fees for functionaries,

- increased access to legal and administrative help,
- a drastic simplification of the legal process,
- means of keeping the Indians in their villages, instead of hearing a lawsuit in a distant town.

The aim was to bring the Indians to a level of reasoning whereby they could appreciate the good sense and justice of European laws and legal procedures. The classification of Indians as *menores* or *gente sin razon*, was originally supposed to indicate their separateness from Spanish culture, and not their lack of intellectual potential. As has been seen, the Indians themselves appealed to this state protection. Many times they pointed out that they were only poor Indians and they had nothing more to lose. In one of the petitions Feliz asked that it should be dealt with openly and clearly since it was an affair between Indians. Later on the *corregidor* used the same words when he instructed the *asesor letrado*: he had to give a clear verdict because it was a case between Indians.

Obviously the importance of religion has been seen in this case. Studies on the syncretism between the preconquest religions and Catholicism point to the similarities between them, making the adaptation to Catholicism easier. Some attention has also paid to the *cofradías* (lay-brotherhoods) and the prominent role they played within the Indian community.²⁵ The interweaving of religion and daily life can be clearly seen in the Pasquala case. The burial was followed by a ritual meal. In her will Pasquala stated that her shroud should be bought from the Franciscans. The will opened with Pasquala's declaration of faith, an opening which I came across several times, and which was standard. It shows the practical presentation of religious faith: "*Protesto vivir y morir como fiel y catholico christiano y desseando poner mi alma en carera de salvacion y poniendo por mi intesedora y abogada ala siempre Virgen María nuestra Señora consebida sin pecado original (...)*." In many documents I came across the importance given to the Virgin Mary. Adriaan C. van Oss, writing about Catholicism in colonial Guatemala, argued that the cult of humility and forgiveness embodied in the Virgin Mary, took on such importance that many neophytes would use her name in all matters connected with the church.²⁶

An example of the syncretism is the way that Pasquala in her will offered her soul to God and her body to the ground from which it was made. In the preconquest religion it was believed that the body came out of the maize plant, and here it was linked with the Catholic idea of being buried under the ground: "*ofresco mi alma a Dios nuestro Señor que la Crio y Redimio por su preciosissima sangre y el cuerpo Mando a la tierra de que fue formado el qual sea sepultado (...)*." For the peace of her soul Pasquala had reserved two *reales* for the saints of Jerusalem, and another two *reales* for Our Lady of Guadalupe.²⁷ More of Pasquala's estate was given to religious groups. Each of the five *cofradías* who were venerated in the parochial church re-

ceived two *reales*. Each altar in the church received two *reales*, and two *reales* were for Jesus of Nazareth in the church in the *barrio* of Santa María, and two *reales* for our Lady the Holy Isabel. In the main section of the will in which the division of the goods was mentioned there was another bequest to a *cofradía*. The *cofradía* Santa Isabel received some land with maize in a place called *Quiequee*. Furthermore the *mayordomo* and *diputados* (officials of the *cofradía*) of the same *cofradía* received 30 *magueyes* to pay for the celebration of masses and for their holy feasts. Both the will and the burial indicated the importance of both religion and the *cofradías*.

According to Van Oss, religious syncretism can be seen as a logical and necessary consequence of the manner in which conversion had taken place.²⁸ The clerics looked sceptically at the Indians' form of Catholicism because it included so many pagan observances. But nevertheless according to Van Oss the Indians also took an active part in the official cults. Innumerable examples show that their communities spared neither effort nor expense in filling their churches with altars, retables, and sculpted images. Devotions to the saints overflowed from the church and into the homes, where individual families erected domestic shrines.²⁹ Pasquala owned eight religious paintings, three crucifixes, and a figure of La Señora de la Soledad, and this was in spite of the fact that she owned few household effects. The Spaniards' complaints about idolatry never went so far as to doubt the importance of Catholicism to the Indians. This faith was of course connected to the oath in which the *asesor letrado* trusted so implicitly.

The will itself provides an opportunity to look at Pasquala's possessions. The land she owned was scattered. She had three different pieces of land with maize, and seven different places with *magueyes*. In the Valley of Oaxaca this pattern of ownership is still prevalent. The land was originally divided in this scattered way because of its fertility. Pasquala needed little ground for the cultivation of food crops. Most land was used for *maguey*, a commercial crop which was in the eighteenth century along with cochineal one of the most remunerative products for selling in the Valley of Oaxaca. There was no mention of cochineal or *nopales* in the will itself, but in the documents of the case it became apparent that Pasquala owned them as well;³⁰ the chest with money which Felíz stole was hidden in a *nopalería* and Lucas made claim to *grana*. Hamnett has put forward that these commercial crops were cultivated at the expense of such basic products as maize.³¹ If this was the case then it is important to note that Pasquala left one third of her maize land to the *cofradía*. In years of dearth the *cofradía* would take care of the division of maize to the community. Furthermore Pasquala owned a house and the land around it, one big cow, a team of oxen and two horses. After the Spanish conquest the Indians came to use a team of oxen for ploughing the maize ground. From the remaining household effects and clothes, there was just one table, two side tables, and two storage

chests for food and clothes, one bench, two cotton blankets, one *huipil* and one *rebozo*. These garments were the typical clothes of the Indian women after the conquest, and in Coyotepec and other Indian villages they are still worn today. As has been already mentioned religious paintings and crucifixes were the only ornaments in the house.

Although during the preceding, seventeenth, century there had been a marked decrease in the Indian population, their land had not fallen into the hands of Spaniards or of state officials. During the colonial period the Indians in the Valley of Oaxaca divided their possessions, including the ownership of land, between near and distant family relations, the church, and even individuals who were not family members.³² As a rule the equal division of land between members of a family, or others, was a threat for landowning peasants, since the land would be divided into smaller plots until it ceased to be workable.³³ During the eighteenth century in the Valley of Oaxaca, it was still the usual pattern to divide land up in this way, but the result was not the typical *minifundio* since families already had scattered plots of land. From earlier times the land had been divided according to its fertility, and this had resulted in scattered land ownership and with the transfer of an inheritance the plots were divided between the heirs who joined them with whatever land they already owned.

The Indians always left a will and the few people who made no will, nevertheless, had families who would claim the right to inherit. In the eighteenth century it was still usual to leave a will and the Indians still had great freedom in how they allocated their possessions. In the documents that have been under consideration it has been seen that Lucas claimed that according to the law, he and the two young girls were the legitimate heirs. Feliz countered that according to the will he was the legitimate heir, and this was why Lucas was trying to deny the existence of the will in the first place. So it can be seen that the rules for inheritance could be altered by a will. This again fits in with the aims of the authorities to reach a consensus in case of any conflict. It was more important to maintain and redress order than to stick by the letter of the law. In the Pasquala case it is seen that the *asesor letrado* tried to come to a compromise, and decided that in any case Lucas should receive the child's portion, which was probably what would have happened if there had been no will and no conflict.

In Coyotepec during the eighteenth century there was no question of only the sons inheriting: daughters and even non-family members had also a right. Such a free pattern could cause problems as has been seen in the Pasquala case. In the archives of Oaxaca, I came across another interesting case from Coyotepec in the eighteenth century which was a complaint by a mother against her daughter, regarding the education of her two children.³⁴ The father of the children had died, and the mother declared that her daughter was giving the children a bad example. As the lawsuit evolved it appeared that it was really concerned with problems of inheritance. The daughter inherited both from her deceased husband and from her father, and her mother

argued that she was squandering the possessions she had acquired from these inheritances by going out with a man with whom she was not married, and having to pay fines for this transgression of the law. The mother did not only want custody of the children but also the right to manage the inherited goods, which she would look after on behalf of the two minors. So it would seem that such tricks as losing a will, or pointing a finger at immoral behaviour, were quite according themes. In Pasquala's case it was seen that she had inherited from her deceased husband, the father of Lucas. In those days, the partners married under separate estate arrangement. The partners owned whatever they had possessed before the marriage, and only what they had acquired together was held as common property. This is why Felíz had to make a testimony in which he stated that some of the goods belonged to him before the marriage. The house and the land round it had apparently belonged to Pasquala and that was why she could leave it to Lucas and the two minor daughters, making it necessary for Felíz to find somewhere else to live.

As has been shown, the moral economy in Coyotepec was in certain matters identifiable. The discourse within the village, and the discourse with the authorities searching for a consensus, is clearly visible. Especially revealing are the testimonies. We saw that the witnesses not only gave factual data but also their own unsolicited comments on the characters of the inhabitants. Those comments structured the pattern of discourse and formed the main source for information about aspects of the moral economy of Coyotepec. As has already been mentioned Thompson approached his study of the moral economy with a study of the phenomena of food riots. I believe that the case-history I have presented here shows that the treatment of inheritance and legal proceedings can also provide useful source material in an attempt to understand the workings of the moral economy within a community.

ENDNOTES

1. E. P. Thompson, "The Moral Economy of the English Crowd in the Eighteenth Century," in *Past and Present*, 50 (1971), 76-136.

2. Quote from Thompson, "Moral Economy," 78-79.

3. Thompson, "Moral Economy," 79.

4. Dale Edward Williams, "Morals, Markets and the English Crowd in 1766," in *Past and Present*, 104 (1984), 56-73, esp. 66. Andrew Charlesworth and Adrian J. Randall, "Comment: Morals, Markets and the English Crowd in 1766," in *Past and Present*, 114 (1987), 200-213.

5. Alan Booth, "Food Riots in the North-West of England 1790-1801," in *Past and Present*, 77 (1977), 84-107, esp. 84.

6. Carlo Ginzburg, *Il Formaggio e i Vermi: Il Cosmo di un Mugnaio del '500* (1976); I used the Dutch translation from Pietha de Voogd: *De kaas en de wormen. Het wereldbeeld van een zestiende-eeuwse molenaar* (Amsterdam, 1982), 13 and 17.

7. David W. Sabeau, *Power in the Blood* (Cambridge, 1984), 2-3; Peter Burke, *Popular Culture in Early Modern Europe* (New York, 1978), 65-87; James C. Scott, "Exploitation in Rural Class Relations. A Victim's Perspective," in *Comparative Politics*, (1975), 489-532, esp. 526. On the interpretation of the "moral economy," see Harvey J. Kaye, *The British Marxist Historians. An Introductory Analysis* (Cambridge, 1984), 194.

8. See Jack Goody, "Introduction," and David Sabeau, "Aspects of Kinship Behaviour and Property in Rural Western Europe Before 1800," both in *Family and Inheritance. Rural Society in Western Europe, 1200-1800*, Jack Goody, Joan Thirsk and E. P. Thompson, eds. (Cambridge, London and New York, 1976), 1-9 and 86-111.

9. Archivo General del Estado de Oaxaca (AEO), Alcaldías Mayores, leg. 1, exp. 17; leg. 2, exp. 1, and leg. 27, exp. 2.

10. Lotte de Jong, "Coyotepec in de achttiende eeuw. Aspecten van het leven in een Indiaans dorp in Oaxaca, Mexico aan het einde van de koloniale tijd" (Doctoraalscriptie, Universiteit van Amsterdam, 1988). In the colonial period Coyotepec was officially called San Bartholo Coyotepec. Today it is known as San Bartholomé Coyotepec, but, as in the past, it is mostly referred to simply as Coyotepec.

11. For more details, see De Jong, "Coyotepec," 16-46.

12. AEO, Alcaldías Mayores, leg. 1, exp. 17.

13. On these higher Indian officials see the chapter by Hoekstra in this volume. Usually the *indios principales* were not identical to the *caciques*; however, in the eighteenth century, due to confusion, all *indios principales* were called *caciques*.

14. AEO, Alcaldías Mayores, leg. 2, exp. 1.

15. AEO, Alcaldías Mayores, leg. 27, exp. 2.

16. Sabeau, *Power in the Blood*, 28-29.

17. Sabeau, *Power in the Blood*, 29-30.

18. Sabeau, *Power in the Blood*, 23, 203-204.

19. Anthony McFarlane, "Civil Disorders and Popular Protest in Late Colonial New Granada," in *Hispanic American Historical Review*, 64 (1984), 17-54, esp. 41-44.

20. See the remarks of Steve Stern in his "Latin America's Colonial History. Invitation to an Agenda," in *Latin American Perspectives*, 12 (1985/44), 3-16, quote from p. 14: "But today, as in the distant colonial past, the laboring and poor classes do not accede quietly to the role of marginalized victim. This refusal and the struggles it entails impose a logic of their own in Latin America's historical trajectory."

21. William B. Taylor, *Landlord and Peasant in Colonial Oaxaca* (Stanford, 1972), 83.

22. AEO, Alcaldías Mayores, leg. 1, exp. 10.

23. See Frans J. Schryer, "Peasants and the Law: A History of Land Tenure and Conflict in the Huasteca," in *Journal of Latin American Studies* (hereafter *JLAS*), 18 (1986), 283-311, esp. 309-311.

24. See Woodrow Borah, *Justice by Insurance. The General Indian Court of Colonial Mexico and the Legal Aides of the Half Real* (Berkeley, Los Angeles and London, 1983), 82-83.

25. See the chapters by Brading, Lavrín and Gruzinski in this volume.

26. Adriaan C. van Oss, *Catholic Colonialism. A Parish History of Guatemala 1524-1821* (Cambridge, 1986), 19.

27. Brading argues that an important aspect of the cult of Our Lady of Guadalupe was the fact that it united the Creole clergy and the Indian masses in a common devotion, see David Brading, "Tridentine Catholicism and Enlightened Despotism in Bourbon Mexico," in *JLAS*, 15 (1983), 1-22, esp. 3.

28. Van Oss, *Catholic Colonialism*, 22.

29. Van Oss, *Catholic Colonialism*, 151; and Gruzinski's essay in this volume.

30. Compare: Edith B. Couturier, "Micaela Angela Carrillo: Widow and Pulque Dealer," in *Struggle and Survival in Colonial America*, D. G. Sweet and G. B. Nash, eds. (Berkeley, 1981), 362-375.

31. Brian Hamnett, *Politics and Trade in Southern Mexico 1750-1821* (Cambridge, 1971), 14.

32. Taylor, *Landlord and Peasant*, 73-75.

33. For a discussion of this problem, see Martine Segalen, "'Avoir sa part': Sibling Relations in Partible Inheritance Brittany," in *Interest and Emotion Essays on the Study of Family and Kinship*, Hans Medick and David Sabean, eds. (Cambridge, 1984), 129-144, esp. 129.

34. AEO, Alcaldías Mayores, leg. 17, exps. 13 and 16.

**Conflict and Balance in District Politics:
Tecali and the *Sierra Norte de Puebla*
in the Eighteenth Century**

WILLIAM B. TAYLOR*

*Corcoran Department of History,
University of Virginia, Charlottesville VA*

INTRODUCTION

In the last thirty years historical studies have gradually moved away from the black and white legends of Spanish motives as a major issue that defined Latin America between Conquest and Independence and a view of the state and church as monolithic and preeminent. Those earlier approaches to colonial Latin America implicitly took Spanish monopolists of land, merchant capital, and high office to be the only real actors in the colonial process. *Encomenderos*, landlords, and royal agents loomed too large in such studies to convey much about the range of activities and relationships in colonial life. We had from them only the vaguest ideas about what most Indian subjects thought and did except in their formal dealings with Europeans; and even then we knew mainly the story of what Europeans did to Indians. Recent scholarship has, in particular, revised the older notion of great estates dominating rural life from beginning to end and the dualism of inward and outward-oriented segments of colonial society and economy -with colonial towns, cities, mining areas and commercial farms as outward oriented, and the rest of the rural areas where most people lived as inward-oriented, filled with helpless victims of the market system and colonial government.

There has been a delay in communicating this new work to a wide audience for it is still common in the social science literature that draws on colonial history to find claims that great landlords were the only figures connecting inward-oriented, dependent peasant villages to the outside world as if the life of peasants were a simple dichotomy of a village and the 'outside world' with all important contacts between the two controlled by a local *hacendado*.¹ The delay is

* Reprinted from *Five Centuries of Law and Politics in Central Mexico*, R. Spores and R. Hassig, eds., pp. 87-106. Copyright © 1984 by Vanderbilt University in Anthropology, VUPA no. 30. Reprinted by permission of the publisher.

partly because the implications of these recent studies of colonial land tenure have not yet led to the next step in research: close regional studies of the specific and changing connections between rural villages and the state and other powerful outsiders to whom the villagers were subordinate. This chapter is a small entry into this subject of regional political history in the late colonial period. Political history here is less concerned with dynastic struggle and top-level events and policies than with the extension of a complex, sometimes contradictory, colonial bureaucracy into the Indian countryside and its interaction with local society and politics.

The point of entry is the intermediaries who connected Indian villages and individual peasants to the larger society and economy in several parts of the Intendancy of Puebla during the eighteenth century. I am particularly concerned with parish priests (*curas*) and royal magistrates at the district level, like the *corregidores*, *subdelegados*, and their lieutenants, the officials who were in face-to-face contact with Indian villagers. Evidence for the place of priests and magistrates in the affairs of villages and districts consists of three long investigations into village defiance of *corregidores* and *subdelegados* and other political disputes in which parish priests had a central part. The three investigations document district politics in four places and times: Santiago Tecali in 1734-1737, Zacatlán de las Manzanas in 1787, Tetela de Xonotla in 1793-1798, and San Juan Quimixtlán in 1799.²

As often happens, it is moments of crisis that leave a written residue of local behavior, relationships, and values. In tapping the record of these events, I am not mainly interested in the moments of crisis themselves. Rather, I have used them to reveal something of the nature of district-level politics and the activities of colonial officials in the local affairs of Indian communities. The first section presents the cases separately while the second section describes three broad patterns in the records and offers some observations about district-level politics that distinguish what was specific to the time and place of the investigations from what may have been common to districts with Indian peasant majorities in Mesoamerica.

TECALI AND THE SIERRA DE PUEBLA

The four places represented in these investigations share a similar landscape and colonial social formation. Zacatlán, Tetela de Xonotla, and Quimixtlán are located in the *Sierra de Puebla*, a rugged, partly forested area some fifty miles north of the city of Puebla and about 125 miles from Mexico City. There are great variations in climate within each district.³ Altitudes range from over 3,000 meters in the mountain valleys down to about 200 meters, producing hot, steamy weather in the low canyons and cold, dank conditions in the high country. But in nearly all places rainfall is abundant. Above temper-

ate Zacatlán at 2,000 meters, mist and rain are almost constant, and the temperate lands are good for raising maize and beans and fruit trees. The dense pre-Hispanic population there followed the usual pattern of decline from epidemic diseases in the sixteenth and early seventeenth centuries, but Indians still outnumbered non-Indians by about five to one in the 1740s. The Indians were village farmers, traders, and artisans scattered in dozens of communities in the temperate and high valleys. Most still spoke native languages and needed interpreters when they testified before colonial magistrates. The Spanish, *mestizo*, and *mulato* families clustered in the district seats, in the few modest *haciendas* and *ranchos* nearby, and in the silver mines of Xonotla district after the 1660s. Zacatlán and Tetela each were seats of *corregimientos* from the sixteenth century, and Quimixtlán was within the *corregimiento* of San Juan de los Llanos. All three were first evangelized by Franciscans, but parish duties were assumed by secular priests before the mid-seventeenth century.

Tecali is closer to the city of Puebla (to the southeast less than twenty miles) but similar to the *Sierra* districts in its social makeup. Situated mostly in fairly flat terrain at about 2,200 meters, Tecali's climate is temperate but cold in the winter and drier than the *Sierra de Puebla*. Seasonal rains are more erratic, and there is little surface water except for the Atoyac River at the bottom of a deep canyon. Aside from marble quarries, local production was mainly in maize farming, some ranching, aviculture, and local people were drawn more to the market of Tepeaca than to Puebla. Tecali was mainly an Indian district in the mid-eighteenth century, with sixteen *pueblos* and about 1,500 tributaries. Only forty non-Indian families were reported in this district in 1743, mainly in the town of Tecali and on the five *haciendas* and twenty *ranchos* of the district. Franciscans had been the local priests there for a century—from 1540-1641. At the end of the seventeenth century, Vetancurt spoke of the Indians of Tecali as exceptionally "*devoted to the Divine cult and to the service of the priests.*"⁴ Early in the eighteenth century three subject villages had become the seats of separate parishes with their own resident secular priests. The *corregimiento* was founded later in Tecali than in the *Sierra de Puebla*, in 1664. A private *encomienda* continued after 1696 and part of the tribute was still collected privately in 1803.

The Case of Santiago Tecali

In the mid-1730s resistance by three *sujetos* of Santiago Tecali to payment of tribute, *repartimiento de mercancía* debts, and land rents to the *cacique* of Tecali, and their opposition to the slaughter of their young cows by the *corregidor* led to a flurry of lawsuits against him and violent confrontations with the Indian officials of Tecali.⁵ These episodes of confrontations and costly litigation culminated in a long royal investigation to determine the cause, punish those responsible, and restore order. The testimony of witnesses and other evidence as-

sembled in this investigation uncovered a small host of rivalries and countervailing outside pressures on the Indian villages that complicated colonial government in this district.

At the center of this trouble was the subject village of Santa María Toxtepec. For years Toxtepec, an independent parish, had petitioned for political separation from Tecali. Finally, in 1734, a verdict came down from the *Audiencia* in Mexico City: Santa María Toxtepec would not be made the seat for another *corregimiento*. At about the same time, the priest of Toxtepec, Matías González de la Cruz, posted on the church door a royal *cédula* of 1723 prohibiting *repartimientos de mercancías*, a lucrative monopoly of the *corregidor* on the sale of bulls, mules, horses, seed, grains, brandy, wool, and *chile* in his district. Late in 1734, and again in 1735, the Indians of Toxtepec sought the priest's protection against the detailed list of abuses they claimed to suffer from the *corregidor*, Joseph Cárdenas, and Tecali's *cacique* and Indian *gobernador*, Cayetano de Tovar. Specifically, the Indians accused Cárdenas of overcharching tribute, forcing them to pay high prices for unwanted *repartimiento* goods (including starved and sick bulls), extracting one or two *pesos* a week from each family as payment for the *repartimientos*, and slaughtering Indian cows in large numbers without license as additional payment for *repartimiento* debts. The Indians also complained of forced contributions to the headtown of Tecali and to the *cacique*, from whom they rented their farmlands. Father González de la Cruz informed his bishop (because of the tithe on newborn calves the bishop had a direct interest in the slaughter of the Indians' cows), helped the village leaders draw up a formal complaint against the *corregidor*, and enlisted the services of an attorney in Mexico City (according to the *corregidor*, Toxtepec and its allied villages spent 20,000 *pesos* on these various lawsuits against Tecali!). Early in 1735, the people of Toxtepec refused to make any payments to the *corregidor* or the *cacique*, and ceased the customary services in Tecali. Sometimes two or three, sometimes as many as six of the other sixteen villages subject to Tecali joined Toxtepec in resisting payments and opposing the *corregidor* and *cacique*.

Since his main responsibilities and source of income were challenged by these acts, the *corregidor's* response was predictable and swift. With two to four hundred armed Indians from Tecali, he went out to force the disobedient villages into submission. The people of San Miguel resisted with rocks, sticks, and machetes, but were driven back by the *corregidor's* gunbearing guard. The troops from Tecali invaded the church and attacked those who had hidden there, killing four and wounding many others.⁶ The community chest was broken open and the money seized; and cattle were taken and buildings were set on fire. On the night of April 4, similar sacrileges were committed in Santa Isabel, San Lorenzo, and Santa María Toxtepec. Accompanied by the Lt. General of Tecali, the lieutenant entered the churches swearing to drink the priest's blood and kill the Indians of the parish, and proclaimed "Now you'll see, Father, whether there are men here."

Most of the Indians fled, but one was killed, others were wounded and, as in San Miguel, local men were arrested for failing to meet their tribute payments. Indians of Toxtepec ran to Puebla to tell the bishop, who ordered the excommunication of the *corregidor* and his lieutenants, and conducted a secret investigation of the events in August 1735.

Officials on all sides had gone too far for a local deal to be struck; ten of the district *pueblos* were in violation of the *corregidor's* orders; and the Spaniards in the district feared a general Indian revolt. At this point, the *Audiencia* stepped in with the support of the Viceroy-Archbishop of Mexico, arresting the *corregidor* and *cacique*, removing the priest of Toxtepec from his parish, and appointing an independent judge to investigate the whole affair. The Archbishop urged exemplary punishments for the leaders, whom he judged to be village *alcaldes*, *fiscales*, and scribes, and declared that, as instigators of rebellion, they had no right to the immunity of the church. Notaries and magistrates once again occupied center stage and even though there were further reprisals by Tecali Indians, resistance by some villages in late 1735 and 1736, and renewal of the old issues of taxes and the *repartimiento* by Cárdenas's successor and a new priest of Toxtepec, the way to a traditional solution that would diffuse anti-colonial feelings was clear. The priest was transferred and reprimanded for inciting the Indians to costly litigation and rebellion; the *corregidor* was found guilty of abuses in the *repartimiento* and involuntary labor but was exonerated from responsibility for the violence. Toxtepec and other *pueblos* received no relief beyond the *repartimiento* payments, since their political ambitions were judged to have caused the confrontation.

Incidentally, and despite the apparent suborning of some witnesses, the detailed inquiry into the troubles in Tecali sheds light on the sources of tension between rural villages and district officials there and the important but largely undefined role of the parish priest in district politics in the eighteenth century. There may have been an ethnic side to the conflict (the Chocho-speaking villages of the district were all in the parish of Toxtepec), but politically-dependent communities such as Toxtepec, now with nearly the population of the *cabecera* and already semi-independent in ecclesiastical matters, were restive over the costs, inconvenience, and humiliation of subservience to another town. The Spaniards' equation of the municipal '*república*' with civilization, their willingness to receive petitions for new *cabeceras*, and their preference for a divide-and-rule colonial system gave hope to ambitious communities.⁷

The people of Toxtepec expressed their ambitions and frustrations when they decried various forced contributions to the officials of Tecali, including labor service at *fiesta* time and a 20½ *reales* annual payment per tributary. This contribution was unusually high, but Indian witnesses from the *cabecera* and other *sujetos* agreed that it was a very old tax that had been paid without objection until recently.

Even during this period of protest, most villages in the Tecali district raised no objection to the contribution. The refusal of Toxtepec and its parish villages to hold their community elections in Tecali, as was the custom, was another sign of hard feelings about political subordination. The old rites of service would no longer be completed without question. After 1734, Toxtepec balked at sending two live deer to Tecali for the *fiesta de Santiago* at which Tecali Indians dressed as Chichimecs and chased the deer. Toxtepec also refused to supply the usual food, towels and money for Easter week celebrations in the *cabecera*. The priest of Toxtepec had his own reasons for supporting the Indians in their petition for *cabecera* status. Like many rural priests, he was irritated by the self-serving demands of a remote *corregidor* and his officious lieutenants. But as a priest with his own parish set within a larger *corregimiento* to which his parishioners owed much of their time and money, he had another reason to favor political separation, especially since his annual stipend (which was only one-third that of the priest of Tecali) was paid to him by the *cacique* of Tecali out of the 20½ *reales* contribution of his Indian tributaries.

Cacique Tovar's authority was quite unusual. He owned the farmlands worked by Toxtepec and other *sujetos*; he collected the customary contributions from all tributaries in the district that paid for the priests' stipends, Tecali's lawsuits, the publication of Papal Bulls, the *fiestas* of Tecali, and the annual office-taking ceremony in Tecali for village officials throughout the district. He collected the tribute and other village fees (such as payment for his permission to cultivate *magueyes* or hold dances); and villages in the *corregimiento* were expected to bring him chickens and flowers at Easter (just as they did for the priest) and to provide him with household servants. These responsibilities and privileges, derived from his inherited position, were enhanced by personal skills, longevity, and close association with the *corregidor*. Literate in Spanish and Nahuatl, he was assigned responsibility for keeping the records of public collections and expenditures. At the time of the unrest in 1734, he had been reelected *gobernador* of Tecali nine consecutive times with the *corregidor's* support, in violation of royal orders against consecutive reelection. To the Indian *sujetos* he was closely associated with the *corregidor* since he provided hundreds of armed Indians from the *cabecera* for the magistrate's sallies into the countryside, and collaborated in the slaughter of the villagers' cows.

The priest of Toxtepec and the *corregidor* of Tecali held conflicting views of the priest's political duties and the *repartimiento de mercancías*. Father González de la Cruz saw himself in the heroic role of the protector and father of the Indians in temporal as well as spiritual matters, a role dating from the 'Spiritual Conquest' of the sixteenth century. The villagers in his district looked to him for this kind of guidance and, as witnesses, spoke of him as their father and the only outsider who could be trusted to help them. Before the violence of 1734, villages within the parish of Toxtepec had written to him

pleading for his protection against the burdens of the *repartimiento*; and to this priest, the *corregidor's repartimiento* was "*the unhealthy cancer.*" He could see that the *corregidor's* demands for payment of one *peso* a week from every Indian family against the *repartimiento* advances forced them to beggar themselves at the magistrate's bidding. To keep up with the payments, the Indians often sold cheap cattle they were forced to buy from the *corregidor* at inflated prices. By 1734, González de la Cruz was ready to act on appeals like this one from the Indians of Santa Clara:

"We work all year yet we can hardly clothe ourselves; often if we eat dinner, there is no supper and we are even robbed of sleep worrying about how we can find so much money (...). Together, all of our children in this pueblo plead with you, kneeling at your feet, to look upon us with eyes of mercy; we fervently hope that our cura and pastor will defend us from such cruelty and hardship."

Father González de la Cruz was correct in posting the royal law of 1723 against the *repartimientos* -the law specified that the parish priests were to tell their Indians of its provisions every six months-but, in the view of the *corregidor* and later of the *fiscal* of the *Audiencia*, the priest had exceeded his authority by taking up the Indians' cause against the *corregidor* and aiding them in their lawsuits. Since Toxtepec had no interpreter other than Father González, the priest as defender of the Indians felt that he could not stop at simply posting the law.

Corregidor Cárdenas naturally saw the issue in a different light. The *repartimiento* was his main source of income. The priests' temporal role should be limited to helping the Indians understand their place in colonial society and teaching them to obey; or, as he put it, "*good education, submission, and instruction of the Indians.*" Cárdenas complained of the priest making the Indians of Toxtepec completely dependent on him, and of the Indians showing favoritism to Father González. González seems to have been the effective judge in his parish, operating a jail and inflicting whippings and time in the stocks at his own discretion. All of these activities were detrimental to royal justice and the King's jurisdiction, said Cárdenas, who saw them as the source of Indian disrespect to him during the previous two years. Higher colonial authorities later agreed, condemning González's "*influence and passion*" in the temporal affairs of the Tecali district.

Although there are only hints of connections in these records, this conflict between priest and *corregidor* was more than strictly local. Non-Indians in the regional center of Tepeaca were involved on both sides. Several merchants of Tepeaca who financed the *repartimiento* as *aviadores* were involved on the *corregidor's* side while rival merchants, two captains, and the priests of Tepeaca and Cholula who were personal friends of González encouraged the petitions and complaints against Cárdenas.

The Case of Zacatlán de las Manzanas

The *repartimiento de mercancías* of the *corregidor* also was related to another *tumulto* and long investigation for Zacatlán de las Manzanas in the *Sierra de Puebla* in 1787. In this case, the *repartimiento* was one of a series of district-level problems brought on by the serious food shortages and epidemic of 1785-1786, problems that might be smoothed over in times of plenty.⁸ Trouble began in August 1785 when frosts destroyed much of the maize crop in the district. Grain was especially expensive and in short supply in the *cabecera* of Zacatlán with its 14,000 residents, and in Chinauapan. To insure against shortage the following year, the *corregidor*, Captain Manuel Esteban Sánchez Tagle, ordered that an extra crop be planted in early 1786 on untilled lands of *ranchos* and Indian villages, and that the lands be worked with communal labor. The Bishop of Puebla donated 90 percent of the money needed to provide five hundred *fanegas* of seed maize,⁹ and Sánchez Tagle depended upon the resident priests in the eleven parishes of the district to oversee the planting, prevent black marketeering, and deliver the crop to Zacatlán. Meanwhile, villages were ordered to sell some of the maize they had saved from 1785; but according to the *corregidor*, the priests and villages held back nearly all of the maize that was stored in the *cofradía* granaries. Late in June the special crop of nearly 50,000 *fanegas* was harvested in the mountain villages and some 1,500 Indians were transporting their maize to the *alhóndigas* (public granaries) of Zacatlán and Chinauapan for sale at a fixed price of 4½ pesos per *fanega*. Compliance was compelled under threat of arrest or physical punishment by the lieutenants who patrolled the districts with squads of twenty-five armed militiamen. Sánchez Tagle claimed that he had ordered this military supervision because the Indians would not sell enough of their grain to the needy towns unless coerced. Maize was to be distributed to all at a fixed price from the Zacatlán *alhóndiga* under Sánchez Tagle's control. The Indians wrote to their priests objecting to this forced sale of their entire crop to Zacatlán. The priests informed Sánchez Tagle, but these rumblings of what was to come went unheeded.

On July 5 at 9:00 a.m., a crowd of Indians, mainly women from other villages, went on the rampage in Zacatlán -releasing prisoners from jail, breaking the grain measures at the *alhóndiga*, harvesting the community maize plot of the *cabecera*, breaking open the granary and selling the maize there as they pleased. Sánchez Tagle hid for four hours in a wardrobe in the priest's residence and, on July 9, fled the district. Indian control over the maize market and granary lasted until the evening of July 6 when the women obeyed the soothing words of the local *vicario*. From Puebla, Sánchez Tagle wrote to the Viceroy that, for fear of another *tumulto*, he would not return to Zacatlán without an escort of twenty-five militiamen. He claimed that the mountain Indians had risen up because they had planted too much maize in the special harvest and now were angry because Zacatlán no

longer would buy it at a high price. The investigation, however, revealed that the Indians who had come to Zacatlán that morning were angry about being forced to sell their entire crop to Sánchez Tagle without being able to buy back enough for their own needs. Sánchez Tagle admitted under oath that just before the violent protest, little grain was available for sale to the Indians and the price had risen to 10-12 *pesos*; this in spite of the fact that the granary was full and the price paid to the Indians for their maize had been 3½-5 *pesos*. Sánchez Tagle denied the rumor that he was removing maize from the granary and selling it at night at 12 *pesos* a *fanega*. His reply then went on to claim that the high prices were the result of priests in remote parishes hoarding the grain to continue the shortages and then selling at high prices outside the *alhóndiga*. He claimed that he was only trying to protect the *cabecera*, to insure an adequate supply of maize throughout the district, and to provide a surplus for shipment to needy districts elsewhere in central Mexico. The Viceroy concluded that the Indian women revolted because the *alhóndiga* would only sell them one-third of the maize they needed and at an inflated price.

In spite of the serious allegations by the priests and the *corregidor*, Sánchez Tagle remained in office after 1786, as did the priests in the eleven *doctrinas*. An uneasy peace had been restored without resorting to Sánchez Tagle's recommendation that the troops be sent in, that two or three leaders of the violence be sentenced to service in the fortifications of San Juan de Ulúa, and that another ten or twelve be whipped for good measure. The investigation into the *tumulto* and the charges against Sánchez Tagle exposed a structure of tension between parish priests in outlying areas and the *corregidor*. As early as March 1785, Sánchez Tagle had been warned by the *fiscal* of the *Audiencia* to preserve harmony in his relationship with the *curas*. Both the priests and the *corregidor* had attempted to influence the elections of officials in the remote Indian villages.¹⁰

As in the Tecali case, Indian villagers looked to their parish priests for help in resisting what they thought were illegal innovations and abuses by the *corregidor* and his lieutenants, and in launching formal written complaints against them. The *corregidor* seemed to be unconcerned about the Indians' suffering from the famine and epidemic and showed little interest in their plea for temporary relief from the tribute tax. The pressing issue was Sánchez Tagle's interference with the usual way of selling maize: for the special crop of 1786 the Indians had to sell the entire harvest to the *alhóndiga*; they could not keep what they wanted to sell where and when they chose, as they were accustomed to do. This crisis and the investigation that followed a formal complaint brought other abuses to light. The forced sale of expensive mules by the *corregidor* to the villagers appeared prominently in the testimony of Indians witnesses, although without the detailed complaints of the Tecali Indians about inferior cattle or the various other monopoly goods distributed by the *corregidor* of Tecali. The rural priests seem to have primed the Indians for the issue, pub-

licizing the royal law against *repartimientos* issued in 1784 and urging villagers not to accept the mules delivered by the *corregidor*. In one case, the lieutenant of Tecoyuca reported hearing the priests instruct his Indians to pay their legal debts on time, to pay what they owed to the *cofradías*, to pay their clerical fees, and to support their families, but under no circumstances to accept the *repartimiento* mules because the *corregidor* was an outrageous usurer. Sánchez Tagle retaliated by telling the Indians they did not have to obey the priests in any but spiritual matters. In Tlapacoya, the *corregidor* threatened fifty lashes and imprisonment in Mexico City to Indians who joined the local priest in his lawsuit against the *repartimiento de mulas y toros*. As a result, said the priest, only about one-third of his parishioners would attend Mass any longer or confess during Holy Week. Sánchez Tagle claimed that he received no salary and none of the usual fees for his judicial services from village subjects. The *repartimiento*, he said, was his only source of income and he was loath to give it up. And, he added, the profits from the *repartimiento* were not nearly as great as his opponents claimed (it was rumored that the *repartimiento* yielded a 50 percent profit). By his account, sales of *repartimiento* livestock produced 30,000 *pesos* a year but his expenses were 25,940 *pesos* plus 900 *pesos alcabala* tax on the sale, leaving a net profit of 3,160 *pesos*, or just over 10 percent. Besides, argued Sánchez Tagle, he was providing an important service in making these animals from distant places available to his district.

The *repartimiento de mercancías* was unusually important in this district because it was connected to the lucrative market in chicken eggs. Mules and horses were advanced to Indians who in turn, were obliged to pay off their debts in eggs which the *corregidor* shipped to Mexico City. If Indian producers did not accept the *repartimiento* animals, they were sometimes forced to sell their eggs to the *corregidor* on credit. Sánchez Tagle was careful not to divulge his profits from the egg sales. He justified this sweet purchase arrangement on the grounds that he was, again, performing a vital service to the capital; that the practice was as old as the *corregimiento* of Zacatlán; and that priests and other non-Indians were busy wholesaling eggs, too, through old women they commissioned to buy for them. The *corregidor's* lieutenants were also accused of forcing Indians to sell them their eggs and exacting the sale of other local products, including nuts, at low prices. These forced sales were especially irritating to the Indians of this district because they had long been traders of eggs, nuts, *chile totonaco*, maize, fruits, and lard to distant markets.

The *corregidor*, in turn, supplied witnesses to support his charges that at least three of the eleven parish priests in his district were hoarding grain for profit, telling their Indian parishioners not to pay the *repartimientos* or obey the lieutenants, making insulting remarks in public about the *corregidor*, and being the evil geniuses behind the Indians' formal complaints, lawsuits, and disobedience to him. The administrators of the *alcabala* and tobacco monopoly had joined the

priests against him, he said, because of his vigorous campaign against Indian drunkenness. Sánchez Tagle's major complaint against the priests, dating back to 1784 and 1785, centered on their interference in village politics, and it is in the investigation of these charges that the record provides information about the influence of priests and district officials in local elections.

The records of three village elections that went wrong in 1786 were included by Sánchez Tagle in his defense of 1787. In the case of San Baltasar in the *doctrina* of Tepezintla, a group of Indian men wrote to the *corregidor* in February and March asking that the *gobernador*, Francisco Antonio, be removed because he had been re-elected in consecutive years, was not a native of their town, and was cruel, drunk, and despotic. The Indian petitioners wanted new elections to be held in Zacatlán, rather than in Tepezintla where the *cura* resided, because of what they claimed was the priest's interference in previous elections. It was customary in this *pueblo* for the priest to propose three candidates for election to *gobernador*. But now the previous *gobernador* had simply been 'elected' by the *cura* without a vote, and the Indian petitioners wanted a younger man in office. To investigate this dispute, Sánchez Tagle sent the Indian *gobernador* of Zacatlán, who heard witnesses on both sides disagree about the charges against Francisco Antonio. The *corregidor's* representative ordered new elections that the parish priest, Joseph Mariano de Ortega, refused to attend. Three candidates were named, and the elections produced a new *gobernador*, Antonio Bernabé. Technically, the results were invalid since Father Ortega declined to certify them. Sánchez Tagle's intervention in San Baltasar may have been prompted by Father Ortega's suit against the *corregidor* in 1785 for his egg monopoly and his management of the maize shortage. The disputed elections for Huitlapan and Ahuacatlán in December 1786 echo the San Baltasar case. Ordinarily the *cura* proposed three candidates for election. The elections were held in the parish seat, although, for the most distant villages, elections could be held on the day of the annual *fiesta* of the patron saint when a priest went there to celebrate mass. However, in Huitlapan in 1784, 1785 and 1786, the priest nominated only the illiterate old *gobernador*, declared him elected, and insisted that elections be held in his *casas curales* rather than the *casas reales*. New elections were ordered for 1787 by Sánchez Tagle and supervised by his lieutenant. Predictably, the *cura* refused to certify them. The elections in Ahuacatlán and its *sujetos* also had the *cura* insisting on the *casas curales* for the vote and failing to attend or certify the elections convened by the *corregidor's* lieutenants in the *casas reales*.

The irregular election of the *gobernador* in the *cabecera* of Zacatlán in November 1786 did not involve the priest. There it was the *corregidor* who had the privilege of nominating the three candidates for election. Sánchez Tagle proposed three elders who had served for many years in various offices including *gobernador*, but the Indian voters wanted a fourth man, Anastasio de la Cruz, whom Sánchez

Tagle considered a *mulato* and a leader of the July *tumulto*. Fearing another violent incident, he allowed the election to go forward, witnessed by the lieutenant and the priest. Sánchez Tagle then raised his objection with the *Audiencia* but an investigation showed that de la Cruz was registered as an Indian, not a *mulato*, and there was no firm evidence that he had taken part in the *tumulto*. The election was allowed to stand.

The Cases of San Juan Quimixtlán and Tetela de Xonotla

The 1790s produced a series of violent episodes and disputes between village priests and district officials in the Puebla area. Two of these for the *Sierra* region are described in a lengthy royal investigation and defense of the priests by the Bishop of Puebla in 1799.¹¹ The priest of San Juan Quimixtlán, Manuel de Arenas, and the *subdelegado's* lieutenant for this town, Rafael Ramos, were at odds in 1798 over the adultery of Ramos's daughter with his married assistant. In pursuing this matter and the lieutenant's habits of gambling in the *casas reales*, allowing his wife to appear drunk in public, selling *aguardiente* on Easter Sunday, and allowing the Indians to drink a forbidden *tepache*, Father Arenas stated that he was merely fulfilling his priestly duty to oversee the public morals. On January 5, 1799, the dispute became a public scandal as the two officials argued in the town plaza. According to the Bishop's account, Lieutenant Ramos insulted Father Arenas -Ramos reportedly told him "*que se fuera a la mierda*" ["(...) to go to hell"]- and shouted to the Indians not to obey the priest, but to tie him up as mentally deranged, and to carry on sexually as they wished with the certainty that their lieutenant would protect them. Father Arenas ordered that the church bells be rung -calling the Indians to assembly- and went into a rage, biting the earth, fulminating against the townspeople for disobedience, declaring the lieutenant excommunicated, and threatening to whip him until two local Spanish men and the lieutenant's wife pleaded on their knees for the priest to relent. Arenas then ordered the Indians to arrest Ramos, threatening them with excommunication if they refused, and to take him to the town jail where he was held for three days.

Under oath, the Indian *gobernador* of Quimixtlán later told his version of the encounter between Ramos and Arenas. Although he did not speak much Spanish, the *gobernador* could see that it was a heated argument. The lieutenant ordered him to arrest Arenas but the Indians refused because he was their priest. The *gobernador* got down on his knees and pleaded with the *cura* to stop shouting, but Arenas only became more enraged, threatening to bring down the heavens, dry up the rivers, make the earth tremble, and refuse his Indians the last rites unless they arrested the lieutenant. The *gobernador* denied personally arresting the lieutenant but all of the other witnesses testified that several unnamed local Indians obeyed the priest's command. In his defense, Father Arenas said that he ordered the arrest

only because of the public insults, the end product of the lieutenant's flouting of the priest's position of respect and arbiter of the public morals. After this incident, Arenas continued to make intemperate accusations that Ramos was a depraved enemy of religion and was fully supported in his imperious, immoral conduct by his superior, the *subdelegado* of San Juan de los Llanos. The Bishop of Puebla rose to the *cura's* defense, warning of the result for other Indian communities of this lieutenant's example of low morals and highhandedness. But the *fiscal* of the *Audiencia* was more impressed by the priest's excessive rage - "like that of a rabid dog" - and his temerity to arrest an agent of the King. The *fiscal* censured the priest and warned darkly of the death penalty as the prescribed punishment for treason.

Reading between the lines, the root of the problem between Arenas and Ramos was not the insults or the specific case of adultery but, rather, a serious jurisdictional dispute and the priest's fear that his position in the community had been undermined. The lieutenant had not permitted the priest to whip the adulterers in question and he had released from jail other men and women the priest had placed there for adultery. The lieutenant's action was less a stand on public morality than a declaration that he alone had the authority to make such arrests and mete out the punishment. As the lieutenant had said to Arenas, "You are not my judge." In an earlier provocation, the lieutenant had boasted that the *cura* had jurisdiction only in his church, to which Arenas tried to reply with his fists.

In the second case, from Tetela de Xonotla in 1793-1795, another *cura* was temporarily suspended from his duties on suspicion of inspiring a village uprising. The real culprit turned out to be the overbearing *subdelegado*, Antonio O'Farrill. Chased out of Xonotla by the local Indians in June 1793, O'Farrill lodged a formal complaint against the parish priest, José Antonio Martínez de Segura, as the force (or 'motor' as the petition reads) behind this movement against the King's judge. O'Farrill returned and Father Martínez de Segura remained, but the investigation into the charges dragged on for six years. The results of the investigation were clear and a little surprising. All of the witnesses, including O'Farrill's successor as *subdelegado* of Teziutlán, as well as Indians from Xonotla, cleared Martínez de Segura of any responsibility for the *tumulto* of 1793. They had only the highest praise for the priest's unselfish service and personal sacrifices in the parish over more than twenty years. He had distributed maize in times of famine, had bought land for the landless, protected Indians from excessive tribute, performed burials without charge, pardoned all clerical fees during the recent epidemic, and treated the non-Indians just as well. In short, he was judged "an example of love and humility," venerated and respected by the citizens of the district. Rather than inciting the violent protest against O'Farrill, he had stepped in to restore calm. O'Farrill had provoked the protest himself by ordering fifty lashes for eight local Indian

nobles when he was not met on the outskirts of Xonotla by a grand welcoming party. Halfway through the public whippings, the assembled crowd of Indians in the plaza took up rocks and drove O'Farrill out of town.

The inquiry into the *subdelegado's* conduct in office revealed that he demanded far more than the usual Indian service and contributions. He had forced Indians in the district to provide him with fish, bread, *aguardiente*, and other scarce supplies. For two years he had resided in Puebla rather than Xonotla and had demanded household servants from his district. These Indian laborers were neither paid nor fed by O'Farrill and were reported to have sold their clothes while in the city just to buy *tortillas*. During his residence in Xonotla he sent Indians back to Puebla on errands every few days, again without pay. He demanded cash contributions from the Indians to finance his lawsuits against Father Martínez de Segura. Finally, at the end of 1798 the *subdelegado* went too far. In the December elections for the 1799 Indian *cabildo* of Xonotla, O'Farrill refused to certify the results and ordered a new election with his favorites, the Básquezes, as the candidates. Only the Básquez relatives voted; the rest of the Indians formed a menacing crowd at the *casas reales* and O'Farrill once again fled for his life. At the time, Father Martínez de Segura had been away from Xonotla for five months, so it was clear that the priest was not responsible. When Martínez de Segura returned -as reported by O'Farrill's grateful successor, José Rubén de Celis- he preached brotherly love, forgiveness, and respect for royal authority.¹²

THREE PATTERNS AND SOME OBSERVATIONS

1

A striking, but not surprising, political pattern in these eighteenth-century investigations is that the parish priest in remote places enjoyed greater loyalty and affection of rural villagers than did the *subdelegados* and lieutenants. Indians in these cases turned to the priest for protection against arbitrary acts of the district officials, and against the depredations of the *repartimiento* system. Forced to choose between obeying the priest, the lieutenant, or the *corregidor*, Indian peasants usually followed the priest, even if they questioned his motives and feared the consequences, as in the arrest of the lieutenant of Quimixtlán. Respect for the position of the priest did not mean that *curas* were not in conflict with their *pueblos* -the example of local factions complaining of the priest's interference in their village elections is documented here- but it does suggest that the rural priest cannot be understood only as a solitary figure in the countryside, an inconsequential religious specialist and civil servant whose position "as a representative of the government gained him little respect from the exploited Indians."¹³

Naturally, the power of the rural priest in his remote parish varied from village to village and from one district to the next. The opportunity for special influence, however, was built into the circumstances of the country *cura*. Indian villages of Puebla were reputed to be exceptionally devout and inclined to follow their *cura* if he established himself among them. The rural priest usually was the only state agent who lived and travelled regularly among peripheral Indian *pueblos*. The *corregidor* and lieutenants, by contrast, usually lived in their *cabeceras* and spent as little time as possible in the remote parts of their district in the eighteenth century. Because the bulk of their actions would have been hidden from secular superiors, the *cura* enjoyed a partial independence as territorial agents. Often he was one of the few literate residents who understood colonial law. His position as intermediary between Indian laymen and God, and between laymen and the saints, and his primary role in the rituals of commemoration, morality, rites of passage, redemption and fertility, and the threat of excommunication helped to plant his spiritual authority deep into the daily lives of the faithful, even if they had their own syncretic beliefs, too.

Whether a particular parish priest exerted much influence on villagers in his area depended quite a lot on his personal qualities. The saintly Martínez de Segura who spent over twenty years as the *cura* of Xonotla had an extraordinarily loyal following. The hot-headed Arenas of Quimixtlán, with less than five years in the parish, got his way with the Indians in that moment of truth but it was clear that he was more feared than loved or trusted and probably had used up whatever goodwill his office carried with the local Indians. Matías de la Cruz of Toxtepec actively defended his parish's interests against the *corregidor*, but his fatherly motives were mixed with obvious political interests in wanting to separate himself and his parishioners from dependence on the *cacique* and *cabecera* of Tecali. It is not clear whether he commanded much personal support from the Indians of his district.

Generalizations about parish priests' attitude toward their work and its reflection in their behavior clearly will not hold for all *cura* or necessarily for any one of them. Still, it seems generally true that the idealistic sense of mission of the friars in the 'Spiritual Conquest' of the sixteenth century was less often found in the eighteenth-century clergy. Late colonial *curas* were more likely to lodge complaints against their Indian parishioners than before, and to be occupied with family affairs and their private property. Failure to instill the subtleties and richness of Spanish Catholicism in Indians after the first great conversions later bred disillusionment among clergymen about the capacity and intentions of Indians and an estrangement inspired by the cultural distance between inward-looking Indian villagers and city-trained priests. "*Limited capacity or intellectual stupidity*" was the usual way for Spaniards of the late colonial period to characterize Mexican Indians,¹⁴ their willful idolatry made the priest's duty to

educate them an "invisible war." Many more young men took the cassock in the eighteenth century, to the point that there was an oversupply of ordained clergymen and much competition and influence-peddling for chaplaincies and the better parish assignments.¹⁵ Nearly all Mexican priests were trained in the nearest cathedral city, such as Puebla, or in Mexico City. They were educated as part of an urban, intellectual elite and most never left off wishing to return to the civilized city and its comforts, and the conversation and company of their equals. There was great diversity in a *cura's* length of service in one parish, but the tendency -especially among younger priests in the late colonial period- was to move from place to place every few years, to spend as much time as possible in the cathedral city competing in the periodic *oposiciones* for tenured posts and maintaining contacts, hoping against hope to secure one of the prized salaried positions in the Cathedral Chapter.

One parish priest of the mundane sort in late eighteenth-century Puebla, José Miguel Guridi y Alcocer, left a wonderfully candid and detailed autobiography in which he examined his early career and his feelings about parish service.¹⁶ Born a creole Spaniard of humble origins near Texmelucan in 1763, Guridi showed little interest in learning or religion before he was sent to the seminary in Puebla at the age of eleven. He earned the baccalaureate degree in theology at nineteen but was not yet committed to the religious life. He says that he spent much of his time during those early years writing poetry, reading fairly widely in history, philosophy, and literature, falling in love with a cousin in Mexico City, and striving to curb his temper, vanity, and penchant for argument. The poor results of his subsequent legal studies in Mexico City and the marriage of his cousin to another suitor kindled his plans for the priesthood. He became the star pupil in his seminary class, moving quickly through his studies, receiving a chaplaincy and scholarship in theology, serving as an instructor in philosophy and the scriptures and becoming a Professor (*catedrático*) of Sacred Scriptures in Mexico City. Following his ordination in Puebla in 1791, he held a professorship in the seminary there and was assigned a small parish in the city.

Late in 1791, instead of being named rector of the seminary as he hoped, Guridi was awarded the tenured post of parish priest (*propietario*) of Acaxete, an Indian parish less than a day's walk from Puebla. As Guridi realized, it was unusual for such a young, inexperienced priest to receive a permanent post like this with a guaranteed, if modest, income. But he was restless and dissatisfied. Few of his parishioners spoke Spanish, and as a "sociable man," Guridi saw the post as a kind of purgatory, "a wasteland, a solitude, (...) a sandy desert, (...) a páramo."¹⁷ Father Guridi left the parish whenever he could, politicking in Puebla for a prebend's post, earning a doctorate in canon law in Mexico, practicing in Mexico City, and holding the part-time legal position of *promotor fiscal* in Puebla. He continued to keep his parish post but was rarely there during his eleven years' tenure.

Finally, the bishop ordered him to return or renounce his rights to the parish, and ordered him not to leave Acaxete without his express license. Having "*left my heart in Mexico City,*" Guridi reconciled himself to life in Acaxete, but just briefly. The autobiography ends in 1802 with the thirty-nine year old Guridi headed back to Mexico City as the *cura* of the *villa de Tacubaya*, "*handing myself over to Providence.*"¹⁸ In fact, this was just the beginning of Father Guridi's public career, for he served as a deputy of the Cortes of Cádiz in 1811, became a canon of the Cathedral in Mexico City in 1821, and signed the first federal constitution of Mexico in 1824. He died on October 4, 1828. Probably few parish priests of Puebla were as ambitious or as successful as Guridi, but many of them must have shared his hopes, his private feelings, and his restlessness. If so, this concern for career and the amenities of city life, and the long absences from the parish would have separated them in an important way from the needs and trust of their Indian parishioners (although their stronger contacts with public figures in the cities might also have made them even more effective as brokers).

Whatever his personal qualities, the *cura* had traditional responsibilities that brought him into the public affairs of his parish. He was the *padre manso*, the strong but gentle father, the teacher. Summoning his view of the ideal parish priest. Archbishop Lorenzana, in a pastoral letter of October 5, 1766, spoke of "*the good and zealous cura contributing in large part or in toto to the spiritual and political government of a pueblo (...); the prudence of the párroco as Father moderates and orders the actions of his children.*"¹⁹ He was charged with informing superior colonial officials of local behavior that violated royal law. The right to judge and punish crimes against canon law was within his authority from early colonial times. His role as judge and protector of the Indians extended into what today would be considered civil and political matters; supervising and verifying local elections, protecting Indians against extortion by merchants and against abuses by the *corregidor*. And he had special responsibility to prevent excessive drunkenness and protect the integrity of the family.²⁰ Eighteenth-century bishops and archbishops were not reluctant to speak out on the civic responsibilities of the King's Indian subjects. Lorenzana, for example, published a special letter to the Indians on June 30, 1768 in which he spoke of their specific obligations to insure the good order of their *pueblos*, including a job for every man over twenty-five years old, and the duty to marry and build a home.²¹

The customary public and political responsibilities of the priests inevitably overlapped with those of the *corregidores*, *subdelegados*, and lieutenants. This was true in the general sense of looking out for the good conduct and protection of Indian subjects and in some very spe-

cific matters, such as drunkenness and overseeing elections, where the priests and district magistrates were to share these responsibilities. But in the last decades of the colonial period, royal orders cut away much of this overlapping authority, doing so at the expense of the *cura*. Public drunkenness became a problem to be dealt with by the *subdelegados* and lieutenants. Priests were forbidden to use the whip -as they had done for more than two centuries- as punishment for Indian drunkenness and moral transgressions. Priests as teachers of literacy in Indian districts were being replaced by *maestros de escuela* (primary-level school teachers) who were salaried from the village treasury and generally allied with the *subdelegado*. The campaign to promote spoken and written Spanish throughout the viceroyalty was accompanied by orders for priests to preach and communicate with their Indian subjects in Spanish, and elimination of the requirement that *curas* speak the Indian language of their district. Where enforced, these changes would have reduced the *cura's* strategic role as interpreter and cultural broker.

Finally, in the *Ordenanza General de Intendentes* of 1786, only Spanish judges could convoke, preside over, and certify local elections.²² *Curas* were still to communicate royal decrees to their parishioners and to report to the colonial government on local affairs,²³ but they were losing many of their formal responsibilities under the law. Mexico's Archbishop in 1803, Francisco Xavier de Lizana y Beaumont published a letter to his priests on September 1, 1803 tacitly supporting these changes. In ordering that the priests obey their royal superiors he remarked that "*the ministers of God cannot be ministers of the world and its occupations.*"²⁴ But the line between affairs of state and the responsibilities of the parish priest had never been clear in practice. For moral as well as conservative political reasons, parish priests in rural Puebla could not step back as passive spectators of the worldly affairs of the *doctrina*. Their moral responsibilities had always been partly temporal and the farther they were from a provincial capital the more difficult it was to enforce the new provisions, or for the state to get along without the *cura's* active participation in public affairs. One result was more disputes between priests and district magistrates of the kind documented in these investigations.

The growing conflicts over dominion between *curas* and district magistrates at the end of the eighteenth century also had to do with the magistrates themselves, encouraged by the royal decrees that worked to enlarge the secular state and promised to extend the authority of the royal agents, and which seemed to many priests to be a frontal attack on the traditional partnership of the church and the state. *Subdelegados* like O'Farrill and lieutenants like Rafael Ramos in the 1790s treated the priests in their districts as inferiors rather than partners in the work of colonial administration, imperiously and inflexibly encroaching on the priest's customary authority. They proclaimed their superiority, told Indians not to obey the *cura*, and in-

sulted priests in public. These were not new events but they happened with a new frequency and animus in the last decades of the colonial period. District magistrates now were quick to blame the parish priest for any disorder directed against them, and they were just as quick to respond with force instead of negotiation. If Sánchez Tagle and Ramos are representative, perhaps this was because more of the district officials in the late eighteenth century were military officers and fewer were lawyers. Viceroy Revillagigedo's instruction to his successor in 1794 spoke of his *subdelegados* as ignorant persons, knowing little of the law.²⁵ He blamed this situation largely on their reduced income since the elimination of the *repartimientos de mercancías* (they were now paid a salary of 5 percent of the tribute collected, plus judicial fees for services rendered).

The delicate balance of overlapping responsibilities, rivalries, and cooperation between rural priests and district magistrates that had operated in a clumsy, perhaps unplanned but often effective way for generations seemed to be breaking down at the end of the eighteenth century, with unsettling results for the rulers and the ruled. *Audiencia* judges and Viceroys deplored the tyranny of the parish priests, the vehemence with which they answered the changing government policies and the growing authority of the *subdelegados*, but they also worried about abuses of office by the magistrates that could have equally disruptive effects on Indian villagers. Above all, they feared that the violent confrontations and numerous disputes between *curas* and *subdelegados* or *corregidores* served as a bad example for the Indians, opening the way to rebellion and "*perpetual disobedience*."²⁶

The Bishop of Puebla in 1799 saw the disputes and unsettled circumstances of district government leading to Indian unrest and insolence, but he placed the blame on patron withdrawal, on the end of the traditional services of the parish priest, and on the bold and irresponsible conduct of the magistrates:²⁷

"This humble and religious education which the temper of our time calls paltry and timid has been most useful to the government. For about three centuries these domains of Your Majesty have been held without need of armed force, in the firmest peace, showing love for the sovereign and the constant loyalty of the best vassals in the world. But since the authority of the párrocos has been limited, forbidding them to mete out moderate punishment which as fathers and teachers they used for the correction of their parishioners, and since those in charge of justice in the pueblos -true parasites of the state, men usually without roots or good habits (like the one in Quimixtlán)- have made a point of persuading the Indians that the priest can only confess and preach, the Indians have begun to become insolent. There is not an hacienda owner who has not complained of their false pride and poor service. When they are notified of government orders that do not suit their taste, their disturbances are continuous. And if they lose respect for the Church (which will inevitably

happen if imprisonment of priests continues and the ecclesiastics lose their voice in public life) there will be no choice but to resort to force to contain a people who on the outside are extremely humble and submissive but underneath are filled with boundless malice and unalterable hatred for their conquerors."

3

Another notable pattern to emerge from this evidence, perhaps less confined to the late eighteenth century or to the Indian districts of Puebla, is the political tension between center and periphery within districts. This tension was expressed especially in the problematic relationship between the *cabecera* and the *sujetos*. In the Puebla cases and elsewhere in central and southern Mexico the *cabecera* was the center of the non-Indian world in the district, the place that was most regularly connected to provincial and viceregal interests and influences. It was the center of colonial authority and the home of the *corregidor* or *subdelegado* (if he lived in the district). His relatives usually gathered there along with the Spanish merchants, shopkeepers, tax collectors, lieutenants, and *casta* artisans. The Indians of the *cabecera* were more often able to communicate in Spanish, and Indian 'caciques' -noblemen, men of authority- were concentrated there.

The authority of the *cabecera* extended out to the *sujetos*, to the obvious advantage of the *cabecera*. Indians from outlying areas in the district were required to do service in the *cabecera*; taxes were paid to officials from the *cabecera*; and the *corregidor's repartimiento* was an especially onerous demand from the district center that interfered with the local economy. Even the saints were partisans in this hierarchy of center and periphery. Santiago was the patron of the *cabecera* of Tecali "and its district", which meant that *sujetos* with their own patron saints to support must supply food and money for the *fiesta titular* in Tecali whether they wanted to or not. Despite being the meeting point for many of the district's ties to the larger colonial world, the *cabecera* was spiritually isolated from its outlying communities. Like Father Guridi, the *cabecera's* non-Indian residents viewed their town more as an enclave that looked out to the provincial and viceregal capitals rather than toward the hinterland that made them important. The *corregidores* and *subdelegados* were temporary appointees who rarely ventured outside the *cabecera*. They were known to Indians in outlying villages mainly as the distant figures who demanded tribute payments through their collectors, who required them to buy their cattle, and who passed judgment in violations of colonial law.

The *sujetos*, by contrast, were more Indian and ordinarily less in touch with district politics. Few non-Indians lived there and few of the villagers spoke Spanish. Lieutenants of the *corregidores* sometimes resided among them but it was the parish priest who, if he remained for more than a few years, most embodied the formal colonial system

in the Indian *pueblo* as interpreter of the imperial language and law, as figure of paternal authority, as priest of the new religion, and as potential adviser. And it was the parish priest who protected his own authority by confronting the *corregidor*'s and the *cabecera*'s infringements on local interests and failing to implement some district orders. The *corregimientos* and *subdelegaciones* were divided into smaller parish units that acquired their own political identities with the encouragement of their priest and sometimes sought independence from the *cabecera*. There was some tension in being a parish seat but not a district capital. The case of Toxtepec documented here was not unique. Many *doctrinas*, especially ones that became larger than their *cabeceras* in the late eighteenth century, chafed at serving the interests of an unheeding district center and began to pressure the colonial government to grant them their own district status.²⁸ These villagers would have understood Miguel de Unamuno's observation about Madrid that it was "*a stomach, not a brain.*"

Perhaps more than any other cleavage, center and periphery shaped district politics in colonial Mexico. Ethnic and bureaucratic cleavages were important in these Puebla cases, too -Indian *sujetos* and partly non-Indian *cabeceras*; priests as authorities in the outlying areas, *corregidores* and *subdelegados* in the *cabecera*- but the perceived interests of the center working against the periphery usually overrode these other divisions: in none of the Puebla cases did the parish priests in the *cabeceras* join their brothers in the countryside to oppose the *corregidor*. The Indian *caciques* and *principales* of the *cabeceras* (and Indians still outnumbered non-Indians in these headtowns) also supported the *corregidor* in district affairs. They were the temporary soldiers who joined him in occasional expeditions into the district to collect unpaid taxes and demand obedience to his orders. It was the Indian *gobernador* of Zacatlán whom the *corregidor* sent as his special representative to investigate purported violations of election procedures in San Baltasar.

CONCLUSION

The overlapping responsibilities and rivalries between *cura* and *corregidor* that were inherent in the colonial administration of New Spain before the late eighteenth century held potentially explosive tensions, but they also provided an important check against personal power and arbitrary acts of either official. This helps explain how the Spanish state ruled in remote district without a standing army or a large police force. Ideally a balance of polite but cautious cooperation should exist between the *curas* and district judges that would prevent either outright conflict or collusion between the two. Such countervailing power served the interests of the Crown as a way to check arbitrary rule by royal agents and ensure that serious disputes at the district level would be appealed to higher courts more directly con-

nected to the King, thereby preserving at least a semblance of justice that could reduce the chance of an anti-colonial war by Indian subjects. Some competition among district officials also could benefit the Indian *pueblos*. It gave them an opportunity to maneuver for their own benefit in the administrative hierarchy. Unless the priests and magistrates were in league, there would be a natural ally for the Indians in one or the other when local disputes arose. And both the priests and the higher levels of the colonial government shared an interest in maintaining corporate Indian villages as social and political units to counter the independent position of private estates.

This hypothesis of rivalry and balance in district politics needs verification for other places and periods. It may be that as mostly peninsular or creole Spaniards with urban ties, the priests and magistrates had more of an affinity for each other in the midst of Indian strangers than the Puebla investigations indicate. For example, Stanley and Barbara Stein, in their *The Colonial Heritage of Latin America*, posit that *corregidores*, priests, and town officials combined to form a solid core of political power at the local level.²⁹ One of the complaints in the *comunero* rebellions of Nueva Granada (modern Venezuela, Colombia and Ecuador) in the 1780s was that *corregidores* and parish priests worked together to exploit the Indians.³⁰ This complaint in itself suggests that checks and balances between these officials were expected and desired. For Nueva Granada, a structural reason existed for complicity: the salaries of priests in Indian parishes there were paid from the Indian tribute tax collected by the *corregidores*.

The Bourbon political reforms may have strengthened the Crown's hand in America and conceived the state in more modern, categorical terms, but by reducing the influence of *curas* in public affairs they led to sharper disputes between parish priests and district magistrates, and the weakening of a traditional hierarchy of patronage and authority that threatened the old ideal balance between competing and overlapping political agents.³¹ The *subdelegado's* formal authority grew at the expense of rural priests. The *subdelegados* -tied to the *cabecera*, tax collection, and military organization- embodied the center in the periphery. They were enforcers of the King's law, often inflexible and unimaginative in the way they went about it. Few were trained in law or interested in mediating between impersonal, abstract colonial decrees and the specific needs and exceptional circumstances of their subjects. *Curas* who, as the Bishop of Puebla recognized, were political intermediaries between colonial centers and the Indian village periphery, were losing their formal position in the political system under the later Bourbons. After 1790 their wordy written objections to the encroachments and abuses of *subdelegados* no longer carried much weight and state agents now looked upon their more dramatic political gestures on behalf of tradition and village autonomy as treason. They were on the way to becoming a professional class more than active partners in the enterprise of the state. Here, in a small way, is the trend that Charles Hale has illuminated so well for

the nineteenth century in Mexico: the rise of the secular state at the expense of the church and the local community, and its culmination in the Liberals' War of Reform and the Porfirian system.

For Indian villages, the declining leverage of parish priests in the colonial bureaucracy and the growing importance of the *subdelegados* meant a loss in local political resources, new difficulty in limiting the extractions of the market, and greater estrangement from the colonial state. The logical extension of this process has been described by Sidney Tarrow in his study of politics in peripheral communities of Italy and France:³²

"Where local political resources are weak and the mechanisms of local-national relations dominated by the center, to the burdens of peripheral decline will be added the indifference of the state."

The War of Independence interrupted this process of domination and weakened the state, but the beneficiaries in political power over the next century appear to have been the *hacendados* and political bosses more than villages and priests.

ENDNOTES

1. Joel S. Migdal, *Peasants, Politics, and Revolution. Pressures Toward Political and Social Change in the Third World* (Princeton, 1974), 35-36.

2. Each investigation fills at least one *legajo* in the Archivo General de Indias, Seville (hereafter AGI): Tecali in Audiencia de México, legs. 839-841; Zacatlán in Audiencia de México, leg. 1939; Tetela de Xonotla and Quimixtlán in Indiferente General, leg. 3027.

3. Information in this and the following paragraph comes from Peter Gerhard, *A Guide to the Historical Geography of New Spain* (Cambridge, 1972), 255-256, 388-389; *Puebla en cifras* (Mexico City, 1944); *Memoria sobre la administración del Estado de Puebla en 1849* (Mexico City, 1850); and *Regiones económico-agrícolas de la república mexicana* (Tacubaya, 1936), 732-747.

4. Agustín de Vetancurt, *Teatro mexicano* (3 Vols., Madrid, 1960-1961), III, 187-188.

5. All information for this section on Tecali comes from AGI, Audiencia de México, legs. 839-841.

6. This was not the first time that district officials had burst into the church without the priest's permission. Witnesses said that lieutenants were in the habit of entering during Mass in search of Indians who owed tribute.

7. I have discussed the divide-and-rule approach and the central place of the *pueblo* in colonial government in William B. Taylor, *Drinking, Homicide, and Rebellion in Colonial Mexican Villages* (Stanford, 1979), Chapters 5 and 6, and in "Colonial Land and Water Rights of New Mexico Indian Pueblos," (Report to the US District Court of New Mexico, Exhibit JP-16, in State of New Mexico v. Aamodt, US Civil No. 6639, 1978).

8. All information for this section on Zacatlán comes from AGI, Audiencia de México, leg. 1939.

9. The special planting was distributed among the following *pueblos de indios*: (fan. = *fanegas*; alm. = *almudes*):

	town	fan.	alm.		town	fan.	alm.
1.	Zacatlán	50		7.	Zapotitlán	6	
	Barrio Xicolapa	4			Zongosotla	6	
	San Cristóbal	10			Huisila	14	
2.	Sgo. Chianauapan	8		Nanacatlán	5		
	Aguistla	4	3	Tustla	3		
3.	Auacatlán	10	6	8.	Atlequisayan	4	6
	San Marcos	4			Concepción	2	6
	San Francisco	5			Osenolacasgule	6	
	San Andrés	5			Cashucan	6	6
	San Antonio	12		9.	Huitlapan	9	6
4.	Tepesintla	17			Chipahuatlán	6	
	San Baltasar	4			Zitlala	6	
	Tonalisco	10			San Martinito	3	
5.	Auistlan	12		Yxtepeque	12		
	Tecpatlán	8		10.	Olintla	14	
	Tugupango	7			Huehuetla	14	
	Coyayango	6		11.	Xopala	13	
6.	Comacautla	3			Chicontla	8	
	San Bernardino		9		Patla	14	
	Tapayula	7			Tlaclantongo	8	
	Coatepec	6					

10. The priest of Zacatlán in this case and the priest of Tecali in the preceding case took no part in the protest against the district magistrates.

11. All information for this section on Quimixtlán and Tetela de Xonotla comes from AGI, Indiferente General, leg. 3027.

12. These problems between priests and district officials over jurisdiction, political power, and personal ambition in the late eighteenth century were not confined to the Sierra region of Puebla. The Archivo General de Indias, Indiferente General, leg. 3027, contains another lengthy case from 1797 for Chietla in the sugar-producing low country of southwest Puebla in which the *subdelegado*, Domingo Saavedra, violated the immunity of the local church, cursing and shouting as he arrested a vagrant there during Mass. Witnesses called in this case consistently testified that Saavedra was threatening and provocative toward local priests, declaring himself to be "the Pope, King, and Bishop," and demanding that the priests do strictly as he ordered. Four lieutenant priests had left the parish during his short tenure. One other jurisdictional dispute between a parish priest and a *subdelegado* is recorded in this *legajo*: against Vicente Zapata, the *cura* of Huatusco, for a whipping and other infringements on the royal jurisdiction.

13. As stated by Francis Brooks, "Parish and Cofradía in Eighteenth-Century Mexico" (Ph.D. diss., Princeton University, 1976), 15, 41.

14. B. M. de Moxó, *Cartas mejicanas escritas por d. Benito María de Moxó, año de 1805* (Genova, 1838), 16-17.

15. D. A. Brading, "El clero mexicano y el movimiento insurgente de 1810," in *Relaciones. Estudios de Historia y Sociedad*, 2:5 (1981), 5-26.

16. José Miguel Guridi y Alcocer, *Apuntes de la vida de d. José Miguel Guridi y Alcocer, formados por él mismo en fines de 1801 y principios del siguiente de 1802* (Mexico City, 1906).

17. *Apuntes de la vida de d. José Miguel Guridi y Alcocer*, 71.

18. *Apuntes de la vida de d. José Miguel Guridi y Alcocer*, 155.

19. University of Texas, Nettie Lee Benson Latin American Collection, Mexican Manuscripts (hereafter UT), G-15, "Documentos relativos al clero en la Nueva España, 1756 a 1817."

20. The manual of responsibilities of parish priests in late colonial Spanish America that was studied by many Mexican *curas* is the fat *Itinerario para parrochos de indios, en que se tratan las materias mas particulares, tocantes à ellos, para su buena administración* (2nd. ed., Antwerp, 1726), first published in 1688 by Alonso de la Peña Montenegro. It is a detailed guide to the traditional expectations and duties of the parish clergy.
21. UT, G-15, June 30, 1768, "Reglas para que los naturales de estos reynos sean felices en lo espiritual y temporal."
22. *Ordenanza general formada de orden de Su Magestad y mandada imprimir y publicar para el gobierno e instrucción de intendentes subdelegados y demás empleados en Indias* (Madrid, 1803), 47.
23. *Ordenanza general formada de orden de Su Magestad*, 46-47.
24. UT, G-15, Sept. 1, 1803.
25. *Instrucciones que los virreyes de Nueva España dejaron a sus sucesores* (2 vols., Madrid, 1873), II, 45.
26. AGI, Audiencia de México, leg. 839, exp. 59.
27. AGI, Indiferente General, leg. 3027.
28. See the chapters by García Martínez and Dehouve in this volume.
29. Stanley and Barbara Stein, *The Colonial Heritage of Latin America* (Oxford, 1970), 81.
30. Jane M. Loy, "Forgotten Comuneros; The 1781 Revolt in the Llanos de Casanare," in *Hispanic American Historical Review*, 61 (1981), 235-257, esp. 250.
31. Arturo Valenzuela, *Political Brokers in Chile. Local Government in a Centralized Polity* (Durham, 1977), 156, has a good discussion of patron-client and categorical forms of association in local politics.
32. Sidney Tarrow, *Between Center and Periphery. Grassroots Politicians in Italy and France* (New Haven, 1977), 3.

CHAPTER FIFTEEN

The Raw and the Cooked: Elite and Popular Ideology in Mexico, 1800-1821*

ERIC VAN YOUNG

*Department of History, University
of California, San Diego, La Jolla CA*

"(...) there does not exist, nor ever will exist, any community or group of communities whose mythology and ethnography (...) can be known in their entirety (...) since we are dealing with a shifting reality, perpetually exposed to the attacks of a past that destroys it and of a future that changes it. For every instance recorded in written form, there are obviously many others unknown to us; and we are only too pleased with the samples and scraps at our disposal."

- Claude Lévi-Strauss,
The Raw and the Cooked -

INTRODUCTION

The mythical Jewish town of Chelm has been the subject of innumerable jokes, anecdotes, and homilies for many generations. It seems the good citizens of Chelm had heard many rumors about the coming of the Messiah. Naturally they did not want to miss such an event, so they hired a poor but honest man of the town, Chaim, to keep watch. He was to sit in a wooden tower they had built just beyond the edge of the town and run in to inform the people when he should spy the Messiah approaching. Weeks passed, then months and years, during which Chaim kept his vigil faithfully, but with no sign of the Messiah's approach. The town's elders even lost hope, but out of habit kept Chaim at his post with food and pay. Finally one of the town's scoffers (for even Chelm had such people) came to the tower and expressed incredulity that the man should still be keeping watch.

* Reprinted from *The Middle Period in Latin America. Values and Attitudes in the 17th-19th Centuries*, Mark Szuchman, ed., pp. 75-102. Copyright © 1989 by Lynne Rienner Publishers, Inc. Reprinted by permission of the publisher.

"Chaim," he shouted, "don't you know the Messiah is never going to arrive?" Chaim answered, with a philosophical shrug of the shoulders, "Yes, but after all it's a living."¹

The story about Chelm illustrates that messianic expectation was for some not only a way of getting a living, but also a way of life and a habit of mind. In the years around 1810 country people all over central Mexico seem, like the citizens of Chelm, to have been awaiting some sort of a Messiah to lead them to a more perfect time and place, ill-defined or unconscious as these hopes were. Popular messianic longings had not arisen, of course, just with the eruption of Miguel Hidalgo's revolt in 1810, and in the very first years of the new century rumors of conspiracy, foreign invasion, Indian saviors and kings, and massive rural uprising ricocheted about the countryside of New Spain.² One may even legitimately speak of a long tradition of such collective manifestations beginning immediately after the conquest and stretching through the eighteenth century, with something of a hiatus after about the early 1760s. In a particularly sharp irony, in many instances around 1810 these messianic hopes were focused on the ferociously reactionary figure of the Spanish King Ferdinand VII (*'El Deseado'* - 'The Longed-for One'), who would have found himself perfectly in sympathy with the ruthless military repression carried out in his own name by some royalist commanders in New Spain. And yet while much of the Mexican countryside was awash with the amalgam of rumor, hope, and messianic expectation centering on the King of Spain or surrogate figures, Indian peasants were brutally assassinating European-born Spaniards in village jacqueries and on back-country roads. Thus we are faced with an apparent sharp contradiction between two elements of collective belief and their associated forms of social action: the monarch, the archetypal figure of intrusive and oppressive colonial authority, was being venerated with messianic fervor while European-born colonists were being slaughtered with an almost ritualistic enthusiasm.³

I will examine two central questions in this essay. First, how did Indian messianism function as an element of popular ideology in the Mexican struggles for independence from Spain? In answer to this question we will develop the following hypothesis: that messianic belief within the context of large-scale political upheaval functioned to focus popular -that is to say, largely Indian and peasant- energies on the struggle for a political break with Spain, but for reasons very different from those of the elite Creole ideologues of the movement, and even in substantial degree opposed to them. Indian messianic hopes, in fact, represented a primitive political irredentism: a basically conservative, even reactionary, ideology combining elements of naïve monarchical legitimism with those of a rigidly localocentric worldview, a kind of spontaneous peasant Fourierism.

This formulation leads us to the second question: in what respects did popular and elite rebel ideologies differ from each other, and at what points, if any, did they converge? It was largely the concept of

mystical kingship and its role in linking ideas about social structure, political constitution and legitimacy, and religion that provided the interface between elite and popular rebel ideologies, and allowed apparently concerted action against the Spanish colonial state at points. But behind this convergence lay very different goals and ideas about the structure of political and social relationships. At its heart, this ideological and social rift in the ranks of the rebels amounted to a fundamental contradiction of purpose in which the elite Creole directorate of the rebellion was launched in an effort of proto-liberal state- and nation-building, while Indian rebels and rioters were bent on preserving the autonomy of communities which survived outside the state or nation. The exploration of this contrast -a kind of binary opposition almost fortuitously Lévi-Straussian in its symmetry (and thus, with apologies, the title for the essay)- explains much about the nature of Mexican colonial society and the upheaval which sundered it from Spain.⁴ Other themes demonstrate a similar contradiction -attitudes towards the Church and its priests, towards political independence itself, towards the social constitution of New Spain and the distribution of its wealth, especially land- but none of these encapsulates so clearly the global vision of popular rebels, in particular. In the development of this argument more emphasis will be placed on the issue of popular messianic expectation than upon elite thinking because the former has hardly been studied at all and is of considerable interest, while many shelves in libraries sag under the weight of books devoted to the latter and attract the social historian rather less.

CREOLE NATIONALISM

The concept of nationhood occupied in the thinking of elite Creole ideologues the central place that mystical kingship, tinged or conflated as it was with messianism, occupied in the thinking of the country's popular masses. Certainly monarchism was the rule within the ranks of the early autonomist thinkers, before the actual outbreak of the insurgency in 1810. The rebel leader Miguel Hidalgo himself espoused the candidacy of Ferdinand VII to be monarch of New Spain provided his legitimacy could be proved uncompromised; moreover, monarchical projects were frequently proposed by other Creole thinkers, though because of the situation in Spain the issue was murky until the restoration of Ferdinand in 1814.⁵ In this light, the continuing discussion of the possibility of inviting King Ferdinand to rule the colony, as the Brazilians did with the Portuguese King João VI, appears natural. Furthermore, a constitutional monarchy of some sort, linked indissolubly to religious sanction, seemed to many Mexican autonomists the logical solution to the problem of state-building. In this context, Iturbide's empire seems less cynical and idiosyncratic when it comes along in 1821. Royalist thinkers and propagandists also stressed the religious underpinning of the Bourbon monarchy and the

King's authority, of course, and attempted to hammer this home to "the humble portion of the people." Even within the Iberian tradition of mystical kingship, however, which included myths about *el encubierto* and Sebastianism, royalist propaganda appeals to principles of authority had about them a corporatist, secular, and peculiarly bloodless quality which may have represented the authors' thinking accurately, but which certainly was based on a fundamental misapprehension of what the popular classes believed.⁶ On the whole, however, it seems fair to say that, more than monarchy or republicanism or the instrumentalities of state-building, what most strongly engaged the attention of Creole thinkers was the concrete issue of political autonomy and, behind it, the larger question of Mexican nationhood.

Although there occurred a certain amount of *Sturm und Drang* about constitutional forms, the rebel Act of Independence of 1813, the constitution which took shape at Chilpancingo in the following year, and the loose program associated with them were anything but Jacobin. There is a good deal of controversy among modern scholars as to the liberal content of these documents, some emphasizing that they were essentially quite conservative and others that they followed closely the lines of the French revolutionary constitution of 1793. What one sees in the Constitution of Apatzingán is an insistence on political autonomy from Spain, popular sovereignty, representative forms, separation of powers, an established and exclusive Catholic Church, and so forth. Although the issue of state-building was of considerable importance to the directorate of the independence movement, little if any evidence indicates that it mattered a fig to their followers.⁷

More interesting from the perspective of comparing elite Creole with popular worldviews is the question of emerging Mexican nationhood and its place in the respective thinking of the two groups. As with constitutional forms, hardly anything can be found to suggest that Creole ideas about nationhood resonated in the least with popular concepts of personal and community identity. While it is true that popular and elite rebels were often able to draw together under the banner of the Virgin of Guadalupe and a fairly virulent anti-*gachupin* sentiment, it is also true that these symbols and their associated behaviors represented different things to the two groups. In the case of the Virgin of Guadalupe, Creole patriots tended to see in her advent and cult evidence of the providentialism associated with the historical formation of the Mexican nation, while popular groups probably saw in her, in particular, a protectress and in Marianism, in general, an echo of ancient mother-gods.⁸ The victimization of European-born Spaniards, on the other hand, had for the Creoles the flavor of a fraternal struggle over concrete political prizes and for the Indian masses of the colony a function of displacement from a frontal assault on dominant white society in general.

The Creole patriotism whose origins David Brading has traced so interestingly, and which began developing into a genuine nationalism

in the decades after independence, was a very different ideology from the localocentric Indian peasant worldview often linked to messianic expectation.⁹ In fact, Creole patriotism was undergirded by certain racist ideas regarding the Indians of New Spain and their 'degraded' condition at the close of the colonial period, ideas which originated in the attempt of Creole ideologues to distance themselves from the stain of *mestizaje* and the prevailing negative pseudo-scientific concepts about the nature of man in the New World popularized by such European figures as Buffon, Raynal, De Pauw, and Robertson. In any case, Creole thinking of the independence era was shot through with an attempt to create a Mexican nation, even if not yet with coherent nationalist imagery. The locus of community for most Creole autonomist thinkers was in the nation, and their struggle throughout the next century and a half was to realize a coherent ideology and a state structure congruent with their community of sentiment.

POPULAR MESSIANISM

While ideologues among the elite Creole directorate of the rebels were struggling with the knotty problems of nationhood, political legitimacy, and the constitution of the Mexican state -some resolving it in favor of an essentially conservative republicanism and others in favor of a constitutional monarchy with representative institutions- popular insurgent ideology was taking a rather different tack. Fragmentary but persuasive evidence points in the direction of a widespread, subterranean messianic or crypto-messianic expectation focussing, in large measure, on the figure of King Ferdinand VII. Although the documented cases of this are comparatively few, it is plausible that the recorded pronouncements represented a more generalized belief among the Indian rebels of the colony, and probably even among tens of thousands of Indian villagers who did not actively take up arms. Of the group of young Indian insurgents of both sexes from Celaya (Bajío region) captured in November of 1810, for example, all but two clearly believed that they were following the orders of the King of Spain, who was physically present in Mexico, riding about the countryside in a mysterious black coach, and who had himself commanded Father Hidalgo to take up arms against the Spanish colonial authorities. Furthermore, the King had enjoined them, through the headman (*gobernador*) of their village, to kill the Viceroy and all other European-born Spaniards and divide their property among the poor. Another captured rebel was reported to have said that "(...) *a person is coming in a veiled coach, and when people come to see him, they kneel down and go away very happy.*" About the same time a woman from a village near Cuautla (Central Mexico) told her neighbors that the King was travelling in the company of Father Hidalgo and wearing a silver mask. In the late winter of 1810-1811 and spring

of 1811, King Ferdinand VII was variously reported to be approaching Cuauhtitlán on the central highlands, or with Ignacio Allende's insurgent forces at Querétaro. Yet another captured rebel stated emphatically that King Ferdinand had appeared in New Spain by a particular and miraculous intercession of the Virgin of Guadalupe.¹⁰

The King was masked; he was invisible; he was travelling alone in a closed coach; he was with Hidalgo or Allende; he was working in concert with the Virgin of Guadalupe to destroy the Spanish armies. One of the most interesting of the 'sightings' of the King in Mexico was reported by two Indians in the area of Cuernavaca in early 1811, who sought to defraud a number of local village officials of a small quantity of cash by concocting a letter supposedly authored by the Indian governor of Tlaxcala. The letter stated that the King was about to enter the village of Cuauhtitlán, to the north of Mexico City, and that he commanded complete secrecy from the *gachupines* as well as financial support from Indian village officials, on pain of death. What is interesting about this incident, of course, is not the fraud itself, but the fact that its perpetrators thought is credible. Some rebel leaders even feared that news of King Ferdinand's restoration to the throne in 1814 might undermine the loyalty of their Indian followers. This thinking apparently lay behind the effort of Father Marcos Castellanos, the insurgent commander of the besieged island of Mezcala in Lake Chapala (Western Mexico) to suppress the information from his entirely Indian force as late as 1815. Leaders on both sides of the rebellion were aware of beliefs concerning messianic, mystical kingship among the Indian masses and considered the matter a delicate one which might compromise their political positions. In the summer of 1808, for example, the Creole lawyer Francisco Primo de Verdad, in addressing the assembled viceregal and municipal authorities in Mexico City, made an eloquent case for (colonial) popular sovereignty, employing the concepts of an 'original people' and despoiled monarch. But neither Primo de Verdad nor his European-born political opponents elaborated these ideas much in debate, presumably because the governors of the quasi-autonomous Indian districts of the city (Tenochtitlán and Tlatelolco) were attending the meeting and with them the shades of several despoiled and assassinated Aztec monarchs.¹¹

Occasionally Indian villagers or other country-dwellers made emphatic pronouncements against the *gachupines* in general, while exempting the King as the object of special veneration. In attempting to explain this process, which contrasts with the exaggerated violence frequently directed against European-born Spaniards particularly by village rebels and rioters, I have linked it to the psychological mechanism of 'splitting' seen in infants, whose dynamics resemble those of scapegoating. The model of 'splitting' describes a psychological defense mechanism frequently seen in young children, associated with separation from the mother and the establishment of individual identity. This psychic defense, while adaptive in the infant and appro-

priate to an early developmental stage, is inappropriate and even pathological at other stages, and is considered a regression later on.¹² An example of such behavior occurred in the village of Epazoyuca, just a few miles to the northeast of Mexico City, during a public procession in the Fall of 1808. The Indian official Pablo Hilario, bearing a standard with the image of the Virgin of Guadalupe, was standing next to the Indian governor of the village, bearing upon another standard the likeness of King Ferdinand VII. When the large ethnically mixed crowd began yelling "*Viva Fernando Séptimo!*," Pablo Hilario chimed in with "*Viva Fernando Séptimo y mueran todos los gachupines!*" ("Long live King Ferdinand VII and death to all Spaniards!"). One Spanish witness to the incident observed that Hilario's statements were "(...) *very much like those indecorously repeated even in the public plazas.*" Translated into action, such naïve monarchism very often took the form of Indians being recruited to the insurgent cause by rebel leaders astute enough to invoke the name of the King in calling for adherence to the cause of Hidalgo and Allende. The statements of captured Indian rebels show no trace of any cognitive dissonance in this regard: apparently the yawning contradiction in terms was for them no contradiction at all.¹³

There were, interestingly enough, candidates alternative to '*El Deseado*' to whom messianic expectation was attached. It is widely believed that the objects of messianic veneration by the Indian masses of the country were the priests who led the rebellion in its early phases, most especially Miguel Hidalgo and José María Morelos. Popular pronouncements to this effect, however, are in fact conspicuous by their absence from the historical sources. Apart from a very few scattered references to the imminent return of Hidalgo and Morelos at the head of avenging armies after their widely publicized deaths, there is very little evidence of the kind of apotheosis ('spontaneous canonization' in the words of Jacques Lafaye) of these popular leaders undergone in more recent times by such men as Emiliano Zapata, Pancho Villa, or Che Guevara. A more widely venerated, or at least more widely spoken of, figure in the messianic mold, oddly enough, was Ignacio Allende, the wealthy Creole militia officer from the Bajío town of San Miguel el Grande and co-conspirator with Hidalgo in the short-lived rebellion of 1810-1811. A less likely candidate for popular veneration would be hard to imagine, but Allende was apparently nonetheless more closely associated with messianic expectation himself, and also with the figure of King Ferdinand, than the priests. Among the ranks of the Creole insurgent leadership Allende was more socially conservative than many of the others, yet he was seen by many Indians as a great avenger and killer of *gachupines*, a social equalizer, an abolisher of tributes and a fixer of prices, and even an agrarian reformer. Allende was even conflated with '*El Deseado*' and the Virgin of Guadalupe, and in the thinking of some was himself a candidate to be *nuestro católico* ('our Catholic King').¹⁴

HISTORICAL ANTECEDENTS OF MESSIANIC BELIEFS

This apparently bizarre spate of messianic, crypto-messianic and quasi-messianic popular expressions did not, however, spring out of a political or cultural vacuum, but had its own cultural antecedents -pre-conditions necessary but not sufficient for the rapid development and activation of such ideas at the end of the colonial period. At this point, then, let us step back from the rebellion itself and the concrete manifestations of these ideological elements to take a brief look at those antecedents.¹⁵

The connection in Western religious/eschatological thought of the millennium with a cyclical closure or recurrence in time is too well known to require extended comment here. Indeed, the idea of the Second Coming itself partakes of such a circularity, even though the outcome of this central event of Christian eschatology, in which messiah and millennium are inextricably associated, is traditionally thought to be an end of history, a kind of perfect stasis, and not the initiation of a new cycle.¹⁶ This is a particularly notable characteristic of the nativistic or revitalization movements which have frequently sprung up in the ex-colonial world, and which often assume the form of messianic/millenarian cults or uprisings. In such collective fantasies the perfect age to come may appear as a regeneration, the recovery by oppressed social groups of what has previously been lost -political autonomy, economic resources, cultural integrity, cosmological coherence, and so forth- so that, in Sylvia Thrupp's words, "*time [is] bent back (...) to recapture some state of harmony in which the world began.*"¹⁷ How much more powerful must the appeal of such doctrines be, therefore, if they resonate strongly with an indigenous intellectual and religious tradition of cyclical cosmology, even if the latter has been systematically suppressed in the name of a hegemonic evangelical Christianity?

Such a resonance was, in fact, one of the major antecedents of popular messianic belief in late colonial Mexico, and played an important role in the link between messianic expectation and collective violence. As with the cyclical aspect of millennial belief, the cyclical (or perhaps helical, Aztec thought allowing for some evolution) nature of Mesoamerican cosmological thought is familiar enough to require only brief comment here. Intertwined with this cyclical view of time there existed a strong mythico-historical tradition of man-gods and messianic prophecy, stretching back through the Mesoamerican Classic era and embodied most strikingly in the figure of Quetzalcóatl, a pan-Mesoamerican deity who was also regarded as having been a real historical figure. Exactly how explicitly or widely preserved by the eighteenth century were the Aztec traditions of cyclical cosmology and messianic expectation is impossible to determine given the conditions prevailing in the colony and the surviving documentation, but it seems likely that they existed side by side with other beliefs (shamanism, for example) as part of the substrate of Indian popular culture.

At the very least such beliefs would have predisposed large segments of the colony's rural masses, in times of stress, to form the highly cathected relationship with a single charismatic figure typical of messianism.¹⁸

The enduring matrix of popular messianic expectation, however, was only one of the ingredients in the singular alchemy of collective action. Another was the existence and wide recognition among the colonial rural masses of a protective, patriarchal tradition of monarchical government at whose center stood the virtually thaumaturgical figure of the Spanish King himself. Although the bubble of legal tutelage built around the Indians had its disadvantages and significantly interfered with the complete integration of the Indians into colonial society, it also had its positive aspects. It meant exemption from certain kind of taxes, generally more lenient criminal penalties than meted out to non-Indians, a high degree of municipal political autonomy (the interference mentioned above notwithstanding), access to a special system of courts, and so forth. Where legal remedies were applied in favor of the Indians of colonial New Spain, they were applied in the King's name. Furthermore, religious and civic ritual of all kinds constantly stressed the centrality of the Spanish King to the colonial commonweal, and his benevolence and fatherly concern with the welfare of his weakest subjects. Indeed, the king occupied an almost suprapolitical position in the Spanish political tradition, and often remained inviolate in the midst of popular rebellion, his authority being split off from the legitimacy of government, as in the traditional cry of rebels and rioters, "*Long live the King! Death to bad government!*" Such associations surely contributed powerfully to popular veneration of the Spanish King, especially among the Indians who often sheltered under his protective, patriarchal mantle, and made of his figure a preeminent candidate for messianic expectation.¹⁹

A normal and quite expectable range of expression from Indians regarding the figure of the Spanish King in the late colonial period fell into the category we may call naïve monarchism, and was ideologically associated, certainly, with the patriarchal stance of the monarchy toward the Indians. The Indian commune of Juchipila, for example, in western Mexico (in an area which, like parts of the Huasteca and the eastern *Sierra Madre* on the other side of the country, was to be an endemic focus of rebellion for several years after 1810), annually celebrated a *fiesta* dedicated to the King of Spain, even when the local curate tried to discourage it.²⁰ Within the context of the insurrection, it is in this naïve monarchical legitimism that one begins to see the 'splitting' of Spaniard into 'good King' and 'bad *gachupines*' suggested above.

In addition to considerations of politics, culture, and cosmology, we must take into account the particular social and intellectual circumstances under which the mass of rural Indians lived in Mexico at the close of the colonial period. While it is true that messianic and mil-

lenarian movements have been common enough in the West and in Western-dominated areas of the world since the medieval period, it is also true that in terms of mainstream religious belief these cults and movements must be regarded as heterodox, even (or most especially) if they adapt, distort, or invert ideological elements from orthodox religious thought. Many observers of such collective phenomena have noted that they tend to flourish in culturally 'backward' or isolated areas or among marginal or transitional populations, where heterodox beliefs or older cultural elements are likely to persist. Heterodox belief, a longstanding tradition of religious syncretism, lack of education, and geographical and cultural isolation were certainly typical of large parts of New Spain even at the end of the colonial period. The characterization of the rural Indians constantly repeated by many parish priests and local officials at the end of the colonial period -that they were ignorant, lazy, drunken, vicious sodomites, naturally prone to violence, barbarism, and rebellion- must certainly be taken with a large grain of salt. Nonetheless, there is plentiful evidence that heterodoxy and an often exceedingly imperfect understanding of approved religious teaching, combined with the resilience of ancient indigenous belief systems, were widespread, and it seems reasonable to assume that these conditions provided an environment nourishing to messianic beliefs. Furthermore, institutions of secular education -village schools- for Indians and other country-dwellers were common enough in New Spain at the close of the colonial period, but they seem to have achieved indifferent results at best. Aside from village financial constraints, Indian attitudes about non-Indians living in their villages (schoolmasters were often drawn from this group), resistance to acculturation, and the oft-mentioned need to have children working in the fields and other productive activities rather than attending school, made school attendance very low and progress in educating Indian children slow or non-existent.²¹

Even more important than the lack of secular education among the Indian population in nourishing a tradition of messianic expectation, however, was religious heterodoxy of various sorts. Both the active practice of heterodox religious rites and the more passive resistance to traditional religious indoctrination at the parish level were explicitly acknowledged by colonial authorities as often being linked to an overall rejection of the Spanish colonizers and their culture. To cite but one example, the Franciscan curate of the Indian town of Ponciltlán, in Western Mexico on the northern shore of Lake Chapala, reported in 1731 concerning the hostility of the local Indian villagers, particularly in the nearby *pueblo* of Mezcala. The problem of inducing the local villagers to attend mass and observe the other Christian sacraments had for decades past been a difficult puzzle (*quebradero de cabeza*) for all the priests who had dwelt there. The Franciscan stressed, however, as did other local Spanish witnesses, that the Indians also held an "enmity (...) to the Spaniards" and a "repugnance" to having any non-Indian living in their villages. Riots against their

curates and the occasional attack upon local secular authorities (on one occasion resulting in the murder of a royal deputy magistrate) were fairly regular occurrences. In one *pueblo* of the district in the 1720s, the Indians had attacked the priest in his church. One man among the rioters had broken into the sacristy and eaten all the sacramental wafers. To the horror of several onlookers, while running through the cemetery to his home, his body had burst open and he had died on the spot.²²

The complaints of parish clergy regarding the irreligion and ignorance of their Indian flocks were so generalized over New Spain right up to the end of the colonial era (and beyond) as to indicate that evangelization had indeed been shallow, at least insofar as formal religious observance was concerned. Indian parishioners in many villages regularly went for years without hearing mass, taking communion, or confessing, and they lived together out of wedlock, refused to baptize their newborn, and buried their dead outside church cemeteries. If ignorance of formal religious elements, resistance to indoctrination, and conflict with ecclesiastical authorities were endemic in the late colony, more active forms of heterodox behavior seem also to have been common enough, although by their very nature less well documented. The most extreme form of this, of course, was the advent of Indian messiahs. One such figure was Antonio Pérez, active in the area of Yautepec, in the Central Mexican Cuernavaca sugar zone, about 1760. He preached nothing less than a total inversion of the social order then prevailing in the colony, clothing his prophetic visions in a language compounded of traditional apocalyptic and pre-Columbian imagery (the soul of Christ was composed of kernels of maize, etc.). Similar though less well studied cases of Indian messianism were those of Mariano, in the Tepic area of Western Mexico in 1800-1801, and the mad messiah of Durango about the same time.²³

But these spectacular manifestations of Indian heterodoxy were certainly outnumbered by the day-to-day practices of shamanism, witchcraft, fertility cults, and so forth. In 1817, for instance, the vicar of the village of San Lorenzo Huichichilapan, near Toluca, just a few miles west of Mexico City, reported the arrest of a number of men of the *pueblo* for participating in what were apparently propitiatory rites dedicated to a traditional Indian god of the hills. The celebration of the cult included icons of Christ and the Virgin, but also certain 'dolls' (*muñecos*) presumably representing pagan deities; dancing and singing by both sexes; offerings of food (*tamales* most prominently); and other ritual elements. Furthermore, parallel with resistance to religious indoctrination, messianism, and active heterodoxy ran a strong tradition of what can most appropriately be called popular piety - religious celebrations, processions of various kinds associated with liturgical events or the veneration of local icons, spontaneous cults and chapels, and so forth. In the late eighteenth century, these forms of popular piety were increasingly sanitized, restricted, or suppressed outright by the enlightened Mexican Church, provoking considerable

resistance, even violent resistance, on the part of Indian villagers in particular. It seems possible that several of the village jacqueries that erupted in connection with the Hidalgo rebellion in late 1810 may have been linked to frustrations with clerical attempts to suppress popular religious celebrations, especially those of All Saints. Thus identified as noxious by the Church, these practices entered, *ipso facto*, the substratum of Indian ideology which nourished heterodoxy and an oppositional political stance readily associated with it.²⁴

STRUCTURAL FACTORS AND REBELLION

- A DETOUR -

Up to this point we have limited our discussion almost exclusively to the elements of culture and ideology as determining forms of mass political violence, but explored not at all the role of material factors. To redress that imbalance at least to some small degree it seems appropriate to analyze briefly and critically several possible interpretations of popular rebellion in Mexico as a response to structural conditions of an economic nature. These were less triggering mechanisms than secular changes of a fairly basic sort that evolved parallel to, and interrelated with, rural society and culture. By clearing away some of the underbrush of the conventional wisdom in this regard we may be able better to see material factors -not exclusively, but importantly- at the origin of popular collective action. What, then, was the etiology of the rural revolt which so dominated the Mexican independence struggle? Two of the conventional schemes regarding the causes of the rebellions beginning in 1810, at least insofar as mass participation by rural people in general and Indians in particular are concerned, do not take us very far in the direction of a plausible explanation. The first, the notion that New Spain and other parts of the empire were pushed into rebellion by the rupture of a colonial compact, has pride of place in much of the literature on Spanish American independence movements and their backgrounds in the Bourbon Reforms. The basic elements of this compact would have been the granting of political and economic autonomy to the American colonies by the Spanish crown in return for political loyalty and the payment of taxes, in brief.

Yet we must ask ourselves the question: is it credible that the abrogation of such a compact engaged the emotional energies of the Indian villagers and other rural people whose collective beliefs and actions we are exploring? The answer is no; at least there is no appreciable evidence from the trials and confessions of popular rebels or from contemporary observers to indicate that this construct of intellectual abstraction made its way down to the level of rural rebels and rioters. This is not to say that rural people in particular or members of the 'lower orders' in general historically have been incapable of understanding elements of formal political ideology, still less that

they have been impervious to such strains of thought or have no political *Weltanschauung* of their own. Eric Hobsbawm's Andalusian anarchists, Carlo Ginzburg's Friulian miller, Menocchio, and E.P. Thompson's eighteenth-century moral economists, among other examples, indicate that political ideology and programmatic elements can make their way into popular thinking and action in pre-industrial societies.²⁵ In the case of late colonial Mexico, however, the lines of transmission were constricted by cultural and linguistic differences between the progenitors of such formal ideological elements and their potential adapters. If one adds to this important factor others such as distance, bad communications, high rates of illiteracy, low population densities, and -is there any other way to put it?- the comparatively backward state of New Spain with respect to contemporary Europe, it begins to seem unlikely that notions about the rupture of a colonial compact could have had much force in mobilizing large segments of the rural populace.²⁶

A derivative of the ruptured colonial compact interpretation of Spanish American rebellion is the steady loss of legitimacy by the Spanish ruling dynasty itself, which we know to have had a deeply disillusioning effect on the educated and civic-minded groups in the colonies. The mediocrity of Charles IV, the meddling of the Prince of Peace, the domestic scandals embroiling the royal family, and the ignominious collapse of the monarchy before Napoleon did much to compromise the loyalty and respect of informed American subjects. But here again, how much significance are such scandals and disillusionments likely to have had for Indian peasants and other rural-dwellers? It is true that echoes of these distant events did occur in the countryside of New Spain, but on the whole, the issue of whether Minister Godoy was or was not the Queen's lover may have had some importance in the salons of Mexico City but little, one suspects, in the humble *chozas* of Cuauhtitlán. In fact, a sort of uncompromised naïve legitimism ran high among the rural people of Mexico, seemingly without reference to the benign incompetence of Charles IV or the reactionary savagery of his son, Fernando 'El Deseado'.

A second possible model of political disruption -that the political crisis in New Spain and the *grito* ('call to arms') of Father Miguel Hidalgo simply provided the excuse for bored and resentful peasants and rural laborers to embark on an orgy of pillage, rape, and murder- does not appear to be very credible either. A modern variant of this interpretation -that peasant society is like a constantly boiling, tightly covered pot, and that when the hand of the state is weakened or removed the lid flies off, scattering the contents all over the kitchen- does little credit to rural people.²⁷ The lived just as tightly within the grip of secular and short-term changes, and they loved the peaceful hearth just as much as educated, politically aware urbanites. Furthermore, this view accords the role of ideas in the peasant sector of the movements little or no importance at all, and sees Hidalgo and his Creole lieutenants as somehow having 'whipped up' popular senti-

ments and angers they could not subsequently control. To paraphrase one of the memorable parting quips of Porfirio Díaz: "*Hidalgo has unleashed a tiger -now let us see if he can control it.*" Admittedly, a great deal of savagery was perpetrated by the insurgents upon their victims, especially by Indian rioters upon the scores of unlucky peninsular Spaniards who fell into their hands in villages and on back-country roads in the early months of the rebellion. But the scale and nature of this violence suggests not some inherent barbarism on the part of peasants and other rural dwellers, but a fundamental sense that something had gone wrong in the world, and that the external realities no longer conformed to the moral economy of country people. What I am suggesting here is that ideological considerations did, in fact, play a very important part in mobilizing peasants, in particular, but that they grew out of a moral substrate unlikely to have been touched directly or extensively by narrower, more discretely articulated ideas or slogans.

If neither elite ideology and Enlightened political ideas, nor collective ignorance and sociopathy can explain the widespread participation of rural people, and especially indigenous villagers, in the independence struggles in Mexico, what factors can have motivated popular rebels? Stepping over onto the ground of long- and short-term changes in material conditions may put us on a somewhat firmer footing here, though these factors are not necessarily incompatible with the discarded ideological ones just discussed and discarded. Two important trends were especially influential in the economic and social realms, and together they produced conditions necessary, but not sufficient, to induce large numbers of people to engage in protracted, collective violence. First, a slow but significant fall in popular standards of living occurred during the latter part of the eighteenth century and into the first decades of the nineteenth. Nominal wages for country people remained virtually stable between 1750 and 1810, while prices for maize and other consumer basics and luxuries rose substantially. The result was a fall in real wages amounting to about 25 percent. Although the role played by material deprivation of this sort in producing collective political violence is much debated, it surely had some effect as a significant background factor in setting off the Mexican independence struggles.²⁸

Second, and probably more important, there occurred during the last century of colonial rule an increasingly severe, Malthusian demographic and agrarian crisis which embraced much of New Spain. Here urban population growth, general demographic expansion, and regional market development appear to have played a more significant role than the boom in silver mining or external markets. Essentially, rural population increase undermined the position of labor and held costs down while the commercial agricultural sector expanded in terms of capital investment, production, and market share. The increasing frequency, tempo, and acrimony of litigation over land is one indicator of this situation, and compounding this trend as a source of rural so-

cial conflict was a growing social differentiation within Indian peasant communities which accorded ill with their basic cosmological assumptions and principles of internal cohesion.²⁹

CRIME AND *CAMPANILISMO*

- A SECOND DETOUR -

In the heated political atmosphere of the years around 1810, political imagery and religious imagery were blended in both rhetoric and action. The communal identity of villages under attack, as suggested above, by internal and external pressures -a long-term process with significant political dimensions- had traditionally been linked to religious expression, a relationship most economically described by the concept of '*campanilismo*' -the tendency of villagers to see the social (and political) horizon as extending only as far as the view from the church tower. Indian villagers were forever ringing their church bells as a symbol of community identity, even (or perhaps especially) over the strong objections of parish clergy. In one case, in the *pueblo* of Atlautla in the province of Chalco near Mexico City, villagers in an argument with the local curate were enjoined by another local priest to stop ringing the church bells to gather people in the plaza. Their reply, according to the priest's testimony, was "(...) *that they would ring them as much as they wanted, since they, and not I, had paid for them.*"³⁰ And of course, once the rebellion itself had broken out, formal and informal rhetoric along with collective action were suffused with religious imagery on both sides of the conflict, though this was perhaps most notable among the insurgents because of the popular nature of the revolt.

Campanilismo, however, had an important secular aspect, as well. Detouring here to a brief consideration of it serves to reinforce the assertions just made about religious outlook, and also bends back upon the discussion about the difference between popular and elite political worldviews, the 'raw' version and the 'cooked'. Very different ideas distinguished village-dwelling Indians from the superordinate, largely urban white groups regarding the appropriate level of reference in political and social action. The distinction here would correspond roughly to a popular *Gemeinschaft* model of society and an elite *Gesellschaft* mode, respectively. While the case for a stark polarity between the two worldviews would be impossible to make (a continuum with one ideal type at either end would certainly be the more accurate representation), it is nonetheless true that village rebels most often acted as though their horizon of reference stretched only to the boundaries of their communities, while the Creole directorate of the independence movements acted with a broader vision of Mexican society as a whole, characterized earlier as proto-liberal.

Oddly enough, this distinction becomes clearest at the nether end of the normative structure, in the case of crime within the context of

armed popular rebellion. While a full analysis of the complex relationship between criminality and rebellion is beyond the scope of this essay, we may nonetheless sketch in a few broad speculations. In the revolutionary period, the rather fluid boundary between crime and rebellion was continually crossed back and forth by thousands of Mexicans; this despite the royalist government's tendency to identify them as a single phenomenon. From the superordinate point of view, criminality included those acts of spontaneous collective appropriation, destruction of property, or violence directed at individuals typical of the action of rioters and mobs, or even of guerrilla bands or insurgent armies on the march. From the popular protesters' point of view, by contrast, such attacks were generally sustained by vague but discernible notions of social justice, retributive or redistributive in nature, based themselves in turn upon ideas of collective moral economy -English 'rough music' with a Mexican rhythm. But something of the same distinction may have existed with regard to the residue of putatively criminal behaviors that is left -murder, rape, assault, theft, robbery, fraud, and so on. It is difficult to determine if, from the point of view of the local Indian peasant community, there was a significant difference in the meaning of an individual's stealing a sheep during the collective sack of an *hacienda* by villagers, for example, as opposed to the same individual's theft of a horse from a lone traveler on the highway, or from his neighbor. One of the main distinctions would, of course, appear to be the collective context of the first act, though it is by no means the only one.

In terms of what constituted crime and what did not, one might suggest a kind of von Thünen's ring-like structure in the moral space of small communities, in which the definition of crime became at once progressively narrower and more flexible as one approached the outer rings, while within the innermost ring the definition of crime would be fairly broad and conventional, reinforced both by communal sanction and external authority. This is not to suggest that once beyond the boundary markers of their communities Mexican country-dwellers suddenly developed gaping super-ego lacunae, but simply that definitions of defiance and wrong-doing became progressively blurrier along the outward trajectory. The implication is that what might be crime to a member of the dominant, white, propertied social segment might not be so construed by a poor, Indian village dweller. Furthermore, what might be defined as crime when perpetrated by an individual in a community context would become less so, or perhaps no crime at all, when committed against external objects by people sharing a common communal reference point. The net effect of this would be for collective action to de-criminalize crime. The further the object of the behavior spatially and socially, the less criminal the act. A whole range of evidence suggests that the Creole directorate of the Mexican insurrections, together with the leadership stratum in general, shared in the views of the colonial elite as to property and propriety. Many, most notably Ignacio Allende, expressed their shock

at the popular savagery and pillage that habitually accompanied the capture of cities and towns in 1810 and after. Through the ensuing years, rebel governments attempted to regulate what they construed as crime and other non-military activity, at least partially, it must be admitted, so as not to antagonize non-combatants. At the most mundane level, rebel commanders were often known to leave receipts in village tax offices, stores, and estates that they sacked.

In the context of late colonial Mexico, however, there is a striking anomaly in the actual behaviors one sees in such situations - a disturbance, as it were, in the neat pattern of outward rippling hostility and aggression which found its center in the rural village. This anomaly lies precisely in the relationship of the local community in rebellion to the Spanish King, and in the frequent conversion of the latter into a figure of messianic veneration. The anomaly is more apparent than real, it turns out, and can be explained by an analysis of the ideological substrate beneath rebellion, as I have attempted in this essay. To be sure, the apparently anomalous behavior was not evenly distributed in New Spain, but tended to occur in the central parts of the colony more than in peripheral areas. New Spain was characterized by uneven patterns of economic activity, settlement, and zones of acculturation, and some evidence indicates that in the more northerly areas of the colony, most notably in the eastern and western *sierras*, popular messianic beliefs were focused on Indian savior-kings rather than on the Spanish monarch, and tended to be more 'radical' and programmatic in their millenarianism. This difference would presumably correspond to an acculturation gradient running from the Valley of Mexico outward in a roughly ring-like fashion, with indigenous lifeways stronger and more pristine as one reached the periphery.³¹ For many of the villagers of central Mexico, where the figure of the monarch dominated messianic beliefs, rebellion against the Spanish colonial regime was no crime because it was no rebellion, since the royal persona was thought to support it, urge it, and even join it.

Before moving on to some concluding remarks, we may follow out some of the implications of the discussion about *campanilismo* and popular worldview. A number of diagnostic hints regarding the independence struggle in Mexico can be used to reconstruct the outlines of popular ideology, and two such may be suggested here without going into any very detailed discussion. The first of these, to recap the immediately preceding discussion, would be the pervasiveness of criminality concurrent with more obviously political forms of rebellion. Furthermore, there is no substantial evidence of what one might call social banditry during the period of the independence struggle.³² This suggests that the distinction between the private and the public domains, at least among the mass of the population, was weak at best; that what one might call a civic ideology was concomitantly underdeveloped and frail; and that the essentially anomic, anti-social behaviors associated with criminality were often seen to be just as appro-

priate a form of civic action, in a sense, as explicitly political protest.³³

The second explanatory hint deals with the organizational forms of rebellion itself, which betrayed an almost constitutional inability by rural rebels, especially among peasant villagers, to coalesce into large forces with a life-span of anything more than a few weeks at most. This characteristic produced a remarkable fragmentation and feudalization among the rebels that largely neutralized their military efforts, and only in limited fashion would it have been adaptive for protracted guerrilla warfare. Such atomization has often been noted of peasant rebellions, of course, and should not surprise us at all. Moreover, a typical and often-ignored form of rural violence, especially during the period up to around 1813, was the village riot or jacquerie, clearly related to rebel activity of a more formal sort and frequently conflated with it. This type of collective action -spasmodic, localized, often extremely violent, and short-lived- correlated perfectly with the *campanilismo*, the localcentrism, which lay at the heart of peasant worldview, and which carved the political world up into so many communes.

CONCLUSION

To conclude, then, our rather tortuous route has led us from Creole autonomist ideology to popular messianic expectation and the cultural matrix which nourished it, through a final detour into crime and communal identity. I would suggest that the paths of popular and elite ideology hardly converged at all. And where they did converge, they did so only apparently, in the person of a monarch (and 'a' monarch rather than 'the' monarch is used purposely). Here the 'raw' and 'cooked' versions of ideology touched different emotional chords and expressed different social aspirations. To mix the metaphor even more hopelessly, popular and elite rebel groups were engaged in a dialogue of the deaf in which there was considerable noise but little exchange of information. Furthermore, as I have tried to point out in my discussion of crime and rebellion, the Indians particularly among popular rebel groups, at least in the heartland of New Spain, tended to blur or chop out of their political cosmology the very middle-level structures represented in Creole thinking by the concept of the nation, while popular ideas of the 'state' seem largely to have been limited to monarchical legitimacy. The substantially unarticulated Indian insurgent programme was embedded in a not-untypically atavistic vision of a peasant village utopia historically and emotionally antecedent to the proto liberal vision of the Mexican state, and in some sense existing outside it. Popular ideology was absolutely saturated with religious symbolism and cosmology, constituting within the framework of mass political violence and protest not so much a sub-text as a counter-text. Among the main contenders for state power,

the Creole and metropolitan elites, a common discourse at least was possible; they may increasingly have had antagonistic goals, but they shared the same lexicon. By contrast, a wide cultural gulf separated the superordinate groups from the popular, predominantly Indian masses of the country. What was apparently going on in the minds of popular rural insurgents, and what went on at the time that the constitution was written at Chilpancingo in 1814, represented a discontinuity in the cognitive map and worldview of Mexicans, and no political ideology, programme, or national mythology could easily bridge the rifts.

Messianic expectation among the Indian villagers of New Spain may even have served them as a kind of ideological lever against the local political structure, including local officials, merchants, landowners, and sometimes even their own priests. In a time of social crisis, it represented the invocation of a reciprocal relationship in which the distant royal government in Mexico city had done much the same thing in reverse -built the large, rambling, leaky edifice of royal protection of Indians as a counterweight to the centrifugal tendencies present in the New World in general and New Spain in particular. This disingenuous alliance had its limits. But there was about the situation a certain structural symmetry if one places the Creole elite with its allied social groups in the middle, its aims radically opposed to both Indian villagers and Peninsular monarchy since it sought to seize and, to a degree, spread political power on the one hand, and pulverize Indian communitarian values on the other. The tracks for this process were laid with the overthrow of colonial rule, and it gathered momentum throughout the nineteenth century, to reach a peak with Porfirio Díaz' application of the laws of the mid-century *Reforma* at its end.³⁴ The focus of Indian messianic expectation on the Spanish King or his surrogates embodies the kind of contradiction between popular and elite ideologies often found in mass insurrectionary movements, therefore, and undermines the traditional wisdom that all the rebels in New Spain had the same thing in mind when they took up arms against the Spanish regime.

If an historical observer allows that Mexico has long sustained a marked, if complex, authoritarian political tradition, one is called upon to trace some of this political culture back considerably in time. The problem here, of course, is one of identifying actual historical continuities. There are two ways of attacking this -by reference to ethos and by analogy to empirical cases. The first method, much the weaker, would depend essentially on a characterization of modern political styles with reference to traditional ones, as when the PRI regime in Mexico is sometimes referred to as 'neo-Bourbon' in nature. The empirical method would look into such examples as the Speaking Cross cult in nineteenth-century Yucatán, the millenarian uprising at Tomóchic in the 1890s, or to the Cristero rebellion of the 1920s as lineal descendants of popular millenarian belief and popular

religious devotion, and as reflective of a substantially similar *mentalidad*.³⁵

Unfortunately, neither argument provides a very strong case for any direct continuity of popular political culture much beyond the end of the nineteenth century. There is some evidence, for example (though much scholarly debate as to its meaning), to indicate that the worldview of ordinary Mexican country people broadened considerably during the nineteenth century. Though the dynamics of that process are as yet to be thoroughly set out, it presumably resulted in a form of peasant nationalism or proto-nationalism very far from the localocentrism I have portrayed here for the beginning of the century.³⁶ It is interesting to note in this connection that those local disturbances most closely approximating truly messianic/millenarian uprisings seem to have occurred in peripheral areas, such as Yucatán and the far north. In fact, with few historical exceptions, millenarianism, though it may be exclusive and xenophobic, is incompatible with nationalism because the locus of community and the eschatology are too different in both forms of movement. So, on the one hand, we may be witnessing a sea-change in popular *mentalidad* in the post-colonial period. On the other, modern populism – even when undergirded by a strong charismatic element – is not necessarily the same as messianism. The most that can be said of such a figure a president Lázaro Cárdenas, for example, even though he was venerated in the 1930s (and apparently still is) as ‘*Tata Lázaro*’ among his popular constituency, is that his political style and its reception were messianoid, rather than messianic.

Whatever else they may be, states are also mental constructs, and one’s perception of them is likely to change as one’s structural perspective changes. Our modern preoccupation with the state as the most important locus of political controversy and as the instrument of profound social change, and our reification of it, has led us to the practice of what historian Alan Knight has aptly termed ‘statolatry’.³⁷ But for people even to conceive of a state, they are required to share a cognitive map which includes a view of a wider world beyond locality, and of the integuments which hold it together. For much of the population of late colonial Mexico such a vision did not exist, and to assume its presence is ahistorical. Furthermore, the objects of popular violence in 1810 and thereafter were not *particularly* representations of the Spanish colonial state – local officials and priests, for example – and even where they occasionally were, there is a difference between figures of authority and the body of the state itself. What seems to have mattered to most people was not state, but community. In the case of early nineteenth-century Mexico, therefore, I am in favor, to paraphrase a sociological motto which has recently gained some currency, of taking the state back out.

ENDNOTES

1. I have been unable to reference this anecdote, though anthologies of Jewish humor and folklore typically include large numbers of stories about Chelm. See, for example, *A Treasury of Jewish Folklore: Stories, Traditions, Legends, Humor, Wisdom, and Folk Songs of the Jewish People*, Nathan Ausubel, ed. (New York, 1948); and *Encyclopedia of Jewish Humor, from Biblical Times to the Modern Age*, Harry D. Spalding, ed. (New York, 1969).

2. For a detailed discussion of an Indian messiah in Durango in the years 1800-1801, see Eric Van Young, "Millennium on the Northern Marches: The Mad Messiah of Durango and Popular Rebellion in Mexico, 1800-1801," in *Comparative Studies in Society and History*, 28 (1986), 385-413. Conspiracies and village riots in the Tepic area of Western Mexico at about the same time, centering on the mysterious Indian messiah named Mariano, are dealt with by Christon I. Archer, *El ejército en el México borbónico, 1760-1810* (Mexico City, 1983), 132-135. Important documentation on the Tepic episode is to be found in Biblioteca Pública del Estado, Guadalajara (hereafter BPE), Fondos Especiales, Criminal, paquete 34, exp. 9, ser. 763, 1801-1806. Other documentary references include Archivo General de la Nación, Mexico City (hereafter AGN), Historia, vol. 428, fs. 37r-76r, 1801; Historia, vol. 413, exp. 5, fs. 248r-339r, 1801; Infidencias, vol. 13, exp. 6, fs. 125r-155r, 1816-1817; and Indiferente de Guerra, vol. 46a, no pagination, 1801. I am grateful to Christon Archer for bringing some of these sources to my attention. Lic. Juan López, official city historian (*cronista*) of Guadalajara, has done the community of historical scholars an invaluable service by publishing the massive documentation on the Mariano rebellion still to be found in the Archivo General de Indias, Seville, along with a useful introduction, in *La rebelión del Indio Mariano. Un movimiento insurgente en la Nueva Galicia, en 1801; y documentos procesales*, Juan López, ed. (3 vols., Guadalajara, 1985).

3. For an interesting and exceedingly suggestive treatment of four messianic figures and their followers, see Serge Gruzinski, *Les Hommes-dieux de Mexique. Pouvoir indien et société, XVIe-XVIIIe siècle* (Paris, 1985); and for a discussion of messianic/millennarian elements in the Tzeltal revolt in early eighteenth-century Chiapas, Robert Wasserstrom, *Class and Society in Central Chiapas* (Berkeley, 1983), 76-86, and *passim*. Numerous instances of what I have elsewhere described as almost ritualistic, preternaturally violent assassinations occurred; some of the more spectacular examples are to be found in AGN, Criminal, vol. 299, fs. 263r-413v, 1811, and vol. 231, exp. 1, fs. 1r-59r, 1811, both on the same case; Criminal, vol. 156, fs. 20r-167v, 175r-416v, 432r-450v, 521r-530v, 1810; Criminal, vol. 147, exp. 15, fs. 443r-574v, 1810; and, Criminal, vol. 26, exp. 9, 1818. These and other examples are discussed and analyzed in Eric Van Young, "Who Was that Masked Man, Anyway? Popular Symbols and Ideology in the Mexican Wars of Independence" in *Proceedings of the Rocky Mountain Council on Latin American Studies, Annual Meeting* (Las Cruces, NM, 1984), I, 18-35, and "Millennium on the Northern Marches."

4. The first part of the title of this essay is drawn from Claude Lévi-Strauss, *The Raw and the Cooked* (New York, 1979), and the epigraph from the same source, p. 5. I did not mean to draw any invidious comparison between popular and elite Creole ideological formulations by referring to them, respectively, as raw and cooked. Nonetheless, when one pieces together testimony, description of collective action, and the odd bits and pieces of (especially Indian) programmatic pronouncements on the part of the popular rebels, and compares them with the basically rationalist, Western thinking in formal manifestoes, pamphlets, newspapers, and so forth, produced by Creole insurgent thinkers, one is forced to recognize a striking contrast, analogous to the primary process thinking of individuals as opposed to their ego-censored everyday thought processes.

5. On Hidalgo's political ideas, see Alfonso Garcia Ruiz, *Ideario de Hidalgo* (Mexico City, 1955).

6. For a masterful treatment of one of the most prominent of such royalist pamphleteers, Agustín Pomposo Fernández de San Salvador, see Hugh M. Hamill, Jr., "The Rector to the Rescue: Royalist Pamphleteers in the Defense of Mexico, 1808-1821" (Paper, VI Con-

ference of Mexican and United States Historians, Chicago, 1981), and see also his article, "Royalist Propaganda and 'La porción humilde del pueblo' during Mexican Independence," in *The Americas*, 36 (1980), 423-444. For a discussion of Iberian traditions of messianic belief, both Spanish and Portuguese, focussing especially on Sebastianism, see Mary Elizabeth Brooks, *A King for Portugal. The Madrigal Conspiracy, 1594-1595* (Madison, 1964).

7. For a brilliant analysis of the questions about constitutional forms, the Act of 1813 and the constitution of Chilpancingo, see David A. Brading, *The Origins of Mexican Nationalism* (Cambridge, 1985), 51-52. A position emphasizing that these documents were quite conservative would be occupied by Brading, but a position stating that they followed the French example of 1793 would be occupied by José Miranda, whose book, *Las ideas y las instituciones políticas mexicanas*, is glossed by Luis González, *Once ensayos de tema insurgente* (Zamora, 1985), 122. One reason for the difficulty of characterizing Creole political thought, of course, is that after the initial crisis of 1808, the intellectual community of New Spain was severely divided, and many Creole intellectuals switched sides back and forth; Hamill, "Rector to the Rescue," 2. Furthermore, María del Refugio González points out that distinct differences between Mexican conservatives and liberals were late in coalescing; see her "Ilustrados, regalistas y liberales," in *The Independence of Mexico and the Creation of the New Nation*, Jaime E. Rodríguez O., ed. (Los Angeles, 1989), 247-263. For a pithy discussion of the 1814 constitution, see González, *Once ensayos*, 109-128. See also Ernesto de la Torre Villar, *La Constitución de Apatzingán y los creadores del estado mexicano* (Mexico City, 1978), and *La independencia mexicana* (3 vols., Mexico City, 1982).

8. On the role of the Virgin of Guadalupe in the formation of Mexican Creole patriotism, see Jacques Lafaye, *Quetzalcoatl and Guadalupe. The Formation of Mexican National Consciousness, 1531-1813*, transl. by Benjamin Keen (Chicago, 1976); but see also the rather different and very convincing views of William B. Taylor, "The Virgin of Guadalupe in New Spain: An Inquiry into the Social History of Marian Devotion," in *American Ethnologist*, 14 (1987), 9-33.

9. Brading, *Origins of Mexican Nationalism*.

10. On Celaya, see AGN, Criminal, vol. 134, exp. 3, fs. 36r-50r, 1810. On the veiled coach, see AGN, Criminal, vol. 454, 1811. On Cuautla, AGN, Criminal, vol. 175, fs. 369r-392v, 1811. The figure of the messianic, disguised king ('*el encubierto*') is familiar also from Spanish history, as Angus MacKay points out in his interesting paper, "Ritual, Violence, and Authority in Castile" (Paper, Bronowski Renaissance Symposium on The Art of Empire: Culture and Authority in the Spanish Empire, 1500-1650, University of California, San Diego, 1986). Pamphlet literature published by elite writers for literate audiences both in Spain and Mexico in the years 1808-1810 shared this preoccupation, to some degree, with the person and quasi-mystical properties of the Spanish monarch; Hugh M. Hamill, Jr., personal communication. On Cuauhtitlán, see AGN, Criminal, vol. 204, exp. 10, fs. 191r-205v, 1811; Criminal, vol. 194, exp. 1, fs. 1r-13r, 1811. On King Ferdinand and the miraculous intercession of the Virgin, AGN, Infidencias, vol. 22, exp. 10, fs. 179r-183v, 1810. The miraculous intercession of the Virgin, by the way, goes some way toward meeting the criterion of supernatural intervention seen to be essential in the definition of messianic/millennial expectation developed by Norman Cohn, "Medieval Millenarism: Its Bearing on the Comparative Study of Millenarian Movements," in *Millennial Dreams in Action. Studies in Revolutionary Movements*, Sylvia L. Thrupp, ed. (New York, 1970), 31-43.

11. On the Indians who sought to defraud some local officials, see AGN, Criminal, vol. 204, exp. 10, fs. 191r-205v, 1811. On Father Castellanos, see University of Texas at Austin, Benson Latin American Collection, Hernández y Dávalos Collection (hereafter UT-HD), 1.212, 1815. On Primo de Verdad, Andrés Lira González, personal communication; and Luis Villoro, *El proceso ideológico de la revolución de independencia* (Mexico City, 1967), who discusses the same incident, 33-60.

12. For a discussion of 'splitting', a concept drawn from the object-relations school of psychoanalytic theory, see Van Young, "Millennium on the Northern Marches" and "Who

Was That Masked Man, Anyway?" Explorations of this concept, and allusions to it, in the object-relations literature are many. See, among others, Margaret S. Mahler, "Rapprochement Subphase of the Separation-Individuation Process," in *Psychoanalytic Quarterly*, 41 (1972), 487-506; O. Giovacchini, *Treatment of Primitive Mental States* (New York, 1979), 20-39; and especially Louise J. Kaplan, *Oneness and Separateness. From Infant to Individual* (New York, 1978), 42-48, 252-253.

13. AGN, Criminal, vol. 226, exp. 5, fs. 267r-361r, 1808. It is worth noting that Pablo Hilario, after spending a year in jail while his case was investigated and tried, was released and deprived of his civil rights for ten years; after 1810 the sentence would surely have been much more severe. For another similar incident, see AGN, Operaciones de Guerra, vol. 9, f. 91, 1817, relating to an occurrence in Tula in 1810. Virginia Guedea (personal communication) has pointed out that the expression '*gachupín*' may have been applied only to European-born Spaniards living in Mexico, and not to the same people living in Spain, so that statements like Pablo Hilario's would embody a perfectly consistent contrast rather than an irony or self-contradiction. While this may be correct from a strictly semantic point of view, the 'splitting' hypothesis, if true, suggests a level of meaning beyond the semantic, in which all whites were in fact the object of hostility, whether Creole or European-born, and the application of the '*gachupín*' epithet was a way of creating an artificial distinction amongst them, the reasons for which I have discussed elsewhere (Van Young, "Millennium on the Northern Marches"). For some instances of statements of Indian rebels, see AGN, Infidencias, vol. 5, exp. 8, Yurirapúndaro, 1810; Infidencias, vol. 5, exp. 10, Huichapan, 1810; Infidencias, vol. 14, exp. 1, fs. 1r-92v, Sichú, 1811; AGN, Criminal, vol. 241, exp. 4, fs. 106r-115r, Tula, 1811.

14. Jacques Lafaye, *Mesas, cruzadas, utopías. El judeo-cristianismo en las sociedades ibéricas* (Mexico City, 1984), 87-88 and *passim*, and *Quetzalcoatl and Guadalupe*, 28. Lafaye, it seems to me, fails to make a sufficiently sharp distinction between messianic and charismatic leadership, which are not necessarily the same thing. Michael Adas has some perceptive comments to make on this confusion, even in the original formulation of Max Weber; see Adas's *Prophets of Rebellion. Millenarian Protest Movements against the European Colonial Order* (Chapel Hill, 1979), xx-xxi. For an interesting, but not entirely convincing, broadly psychohistorical interpretation of Hidalgo and the rebellion he led, which casts the struggle in oedipal terms, see Victor Turner, "Hidalgo: History as Social Drama," in Turner's *Dramas, Fields, and Metaphors. Symbolic Action in Human Society* (New York, 1974), 98-155. AGN, Criminal, vol. 240, fs. 355r-364r, 1810; Criminal, vol. 241, exp. 7, fs. 233r-243v, 1811; Criminal, vol. 57, exp. 6, fs. 101r-116r, 1810; Criminal, vol. 204, exps. 11-12, fs. 206r-262r, 1810; Criminal, vol. 13, exp. 6, 1810; Criminal, vol. 53, exps. 16-17, fs. 307r-320r, 1811; Criminal, vol. 163, exp. 18, fs. 307r-320r, 1811.

15. It should be stressed that the conjunctural circumstances which gave rise to popular protest and rebellion in this relatively short period -long-term changes in demographic and agrarian structures, market conditions, short-term conditions of dearth in the countryside, the political crisis in Napoleonic Europe and the attendant loss of legitimacy by the Spanish colonial regime, and so forth- are not dealt with here, but only the associated messianic expressions, the reasons for messianic object-choice, and the contrasts and points of contact between popular and elite ideology. For background on the material antecedents of the rebellion, see Eric Van Young, "Moving Toward Revolt: Agrarian Origins of the Hidalgo Revolt in the Guadalajara Region, 1810," in *Riot, Rebellion, and Revolution. Rural Social Conflict in Mexico*, Friedrich Katz, ed. (Princeton, 1988), 176-204, "The Age of Paradox: Mexican Agriculture at the End of the Colonial Period, 1750-1810," in *The Economies of Mexico and Peru in the Late Colonial Period, 1760-1820*, Nils Jacobsen and Hans-Jürgen Puhle, eds. (Berlin, 1986), 64-90, "The Rich Get Richer and the Poor Get Skewed: Real Wages and Popular Living Standards in Late Colonial Mexico" (Paper, All-UC Group in Economic History, Semi-Annual Meeting, California Institute of Technology/Huntington Library, Los Angeles, 1987), "A manera de conclusión: el siglo paradójico," in *Empresarios, indios y estado. Perfil de la economía mexicana (Siglo XVIII)*, Arij Ouweneel and Cristina Torales Pacheco, eds. (Amsterdam, 1988), 206-231; William B.

Taylor, "Indian Pueblos of Central Jalisco on the Eve of Independence," in *Iberian Colonies, New World Societies. Essays in Memory of Charles Gibson*, Richard L. Garner and William B. Taylor, eds. (N.L., 1986), 161-184. See as well the recent, excellent studies of Brian R. Hamnett, *Roots of Insurgency. Mexican Regions, 1750-1824* (Cambridge, 1986); and John Tutino, *From Insurrection to Revolution in Mexico. Social Bases of Agrarian Violence, 1750-1940* (Princeton, 1986), which throw much light on questions of long-term structural change in the Mexican countryside. My book-in-progress, "The Other Rebellion: Popular Violence and Ideology in Mexico, 1810-1816," will address these themes in the form of intensive, longitudinal studies of three regions which experienced endemic rural rebellion - Central Jalisco, the Morelos sugar zone, and the broad band stretching north and east from Huichapan through the *Sierra de Metztlán*.

16. The basic New Testament source on the advent of the Millennium is Revelations XX. Stimulating discussions of millenarian doctrines upon which I have leaned heavily, though not exclusively, in the present treatment, are to be found in Norman Cohn, *The Pursuit of the Millennium. Revolutionary Messianism in Medieval and Reformation Europe and its Bearing on Modern Totalitarian Movements* (2nd. ed., New York, 1961), esp. pp. 1-21; Sylvia L. Thrupp, "Introduction," in *Millennial Dreams in Action*, 11-27; George Shepperson, "The Comparative Study of Millenarian Movements," in *Millennial Dreams in Action*, 44-52; Janos Bak and Gerhard Benecke, "Introduction," in *Religion and Rural Revolt*, Janos Bak and Gerhard Benecke, eds. (Manchester, 1984) (and the other essays in that volume); J. F. C. Harrison, *The Second Coming. Popular Millenarianism, 1780-1850* (London, 1979), esp. 1-54; Lafaye, *Mesias, cruzadas, utopias, 7-26 and passim*; Adas, *Prophets of Rebellion*; and Eric J. Hobsbawm, *Primitive Rebels. Studies in Archaic Forms of Social Movement in the Nineteenth and Twentieth Centuries* (New York, 1959).

17. Thrupp, "Introduction," 12; and on revitalization movements in general, see the remarks of Adas, *Prophets of Rebellion*, pp. xvii-xxi.

18. For the nature of Mesoamerican cosmology, see, for example, Miguel León Portilla, *Aztec Thought and Culture. A Study of the Ancient Nahuatl Mind* (Norman, 1963); Laurette Sejourné, *Burning Water. Thought and Religion in Ancient Mexico* (London, 1957); Jacques Soustelle, *La Pensée cosmologique des anciens Mexicains* (Paris, 1940); and Burr Cartwright Brundage, *The Fifth Sun. Aztec Gods, Aztec World* (Austin, 1979). For the notion of cyclical cosmology, messianic expectations and shamanism as part of the substrate of popular culture in both colonial and modern times, see Victoria Reifler Bricker, *The Indian Christ, the Indian King. The Historical Substrate of Maya Myth and Ritual* (Austin, 1981). Gruzinski suggests that the mythico-historical lineage of the 'hommes-dieux' in fact ended among the Nahuas about 1430, a century before the Spanish conquest, because of the need for political stabilization in central Mexico, thus divorcing political power and divinity to a certain degree. Of the Aztec imperial leadership *tlahtoani* of the fifteenth and sixteenth centuries he writes: "*Tournant les dos aux héros culturels, aux Quetzalcoatl, ils esquissent la figure de despote et évoluent vers des formes que l'on pourrait qualifier d'absolutistes; (...)*" in *Hommes-dieux de Mexique*, 18-19.

19. On the legal status of Indians, see, among others, Paulino Castañeda Delgado, "La condición miserable del indio y sus privilegios," in *Anuario de Estudios Americanos*, 28 (1971), 245-335. For an exhaustive and fascinating treatment of the General Indian Court, an institution unique to New Spain, see Woodrow W. Borah, *Justice by Insurance. The General Indian Court of Colonial Mexico and the Legal Aides of the Half-Real* (Berkeley, 1983). For a thoughtful treatment of the political habit of mind behind the traditional cry of rebels and rioters expressed in the text, in the *New World*, see John L. Phelan, *The People and the King. The Comunero Revolution in Colombia, 1781* (Madison, 1978); and also MacKay, "Ritual, Violence, and Authority."

20. BPE, Civil, caja 140, exp. 5, ser. 1518, 1791. For an interesting recent work on this understudied area, called the region of *Los Cañones*, see Agueda Jiménez Pelayo, "Historia rural en México colonial: el sur de Zacatecas, 1600-1820" (Ph.D. diss., University of New Mexico, 1985). The idea of naïve monarchism is borrowed from MacKay, "Ritual, Violent-

ce, and Authority," though it has been dealt with by other authors, as well; see, for example, George Rudé, *Ideology and Popular Protest* (New York, 1981).

21. For example, in analyzing millenarian movements in Modern Brazil, René Ribeiro stresses the necessary background conditions of "*Social isolation (...) and lack of real religious help*" -in addition to extreme poverty- in making apocalyptic preaching appealing; see his "Brazilian Messianic Movements," in *Millennial Dreams in Action*, 59. Similarly, Roger Bastide, *Les religions africaines de Brésil* (Paris, 1960), 495ff., emphasizes that modern millennial movements have found their origins in "*(...) frustration and backwardness through participation in a kind of 'archaic culture' which persists because of geographical and cultural isolation.*" For more on the view of the rural Indians by priests and officials, reflecting as it does a subtle mixture of aggression, fear, and racist ideas, see Van Young, "Millennium on the Northern Marches," 400-401; and for some consideration of the views of Mexican provincial priests in particular, Eric Van Young, "Conclusion," in *Indian-Spanish Relations in Colonial Spanish America* (Syracuse, 1988), 87-102. A survey of Indian schools in various provinces, indicating almost uniformly negative findings particularly with regard to Spanish language acquisition, is to be found in AGN, Historia, vol. 494, exp. 4, fs. 18r-105v, 1774, and another of a decade later in AGN, Historia, vol. 495, exps. 6, 7, 8, 10, 14, 15, and 19, 1784. All of these reports discuss similar problems of finance and Indian resistance to the schooling of children, though in some districts the outcome was better. To be fair, it should be noted that local priests sometimes opposed the establishment or continuance of secular schools, presumably for fear that their control over their parishioners would be diluted. The parish priest of Tecali (to the southeast of Puebla), for example, had always opposed the teaching of Spanish to the Indians in his parish, and likewise openly preached from the pulpit against the establishment of a village school, though he encouraged attendance at the doctrinal lessons in the church, which were given in Nahuatl; AGN, Historia, vol. 494, exp. 1, fs. 3r-6v, 1770. See also the case of Miaguatlán (in the south of Oaxaca), where schools became a political football between the local priest and royal officials in the 1780s; AGN, Historia, vol. 495, exp. 20, fs. 293r-303r, 1784, and vol. 493, exp. 12, fs. 114r-136r, 1811. The last royal decree of the colonial period on education noted the frequent lack of compliance and generally indifferent results of earlier decrees; AGN, Historia, vol. 493, exp. 15, fs. 212r-218r, 1816.

22. BPE, Civil, caja 49, exp. 4, ser. 637, 1731. It is interesting to note that the *pueblo* of Mezcala, with other surrounding Indian villages, became a center of prolonged armed rebellion after 1810, and the center of an insurgent garrison on the island of the same name in Lake Chapala; see Alvaro Ochoa, *Los insurgentes de Mezcala* (Morelia, 1985).

23. Regarding Indian ignorance of Catholic ritual, the priest of Calimaya, just a few miles west of Mexico City, for example, asserted in 1792 that of his 5,000 backsliding parishioners, mostly Indian, not a hundred knew the simplest prayers; AGN, Clero Regular y Secular, vol. 131, exp. 1, fs. 1r-110r, 1792. For a number of cases of a similar nature, see AGN, Clero Regular y Secular, vol. 126, exp. 2, fs. 286r-294r, 1809 (Apaxtla); AGN, Clero Regular y Secular, vol. 5, exp. 8, fs. 418r-453v, 1801 (Zacualpan); AGN, Historia, vol. 500, exp. 3, fs. 168r-187r, 1797 (Celaya); AGN, Clero Regular y Secular, vol. 179, exp. 13, fs. 398r-428v, 1763 (Actopan); AGN, Clero Regular y Secular, vol. 188, exp. 7, fs. 115r-137r, 1790 (Tlacotalpan); AGN, Clero Regular y Secular, vol. 213, exp. 15, fs. 243r-256r, 1794 (a report on all the secularized missions of New Spain); AGN, Clero Regular y Secular, vol. 126, exp. 11, fs. 281r-285v, 1809 (Huasteca and *Sierra Gorda* in general); AGN, Bienes Nacionales, leg. 472, 1819 (Metztitlán); AGN, Bienes Nacionales, leg. 716, 1819 (an extensive report of a pastoral inspection of the *sierra* of Metztitlán and the Huasteca). On Pérez, see Gruzinski, *Hommes-dieux de Mexique*, 114ff. Some years later, memories of Pérez, his cult, and his followers were still fresh in the area, and by the late 1770s there was even some suggestion that traces of the cult survived in and around Tepoztlán; see, AGN, Criminal, vol. 203, exp. 4, fs. 109r-268r, 1778. On similar cases, Van Young, "Millennium on the Northern Marches"; Archer, *Ejército en el México borbónico; Rebelión del Indio Mariano*; and the documents cited in note 2 above. See also the interesting remarks

on the Indian prophetic tradition in David A. Brading, "Images and Prophets: Indian Religion and the Spanish Conquest," in this volume.

24. The case of Huichichilapan in AGN, Bienes Nacionales, leg. 663, 1817. Roughly similar cases were uncovered in Xochimilco and Tecualoya around the same time, for which see AGN, Bienes Nacionales, leg. 976, exp. 39, 1813, and, leg. 663, 1818, respectively. For viceregal attempts to suppress popular religious celebrations, see David A. Brading, "Tridentine Catholicism and Enlightened Despotism in Bourbon Mexico," in *Journal of Latin American Studies*, 15 (1983), 1-22, and, "Images and Prophets"; Gruzinski, *Hommes-dieux de Mexique*, 161-167. See the series of reports and viceregal decrees regarding 'abuses' (excess spending by Indians and others, gambling, drinking, commercial activity, etc.) during Holy Week in Mexico City, Pátzcuaro, and Silao in the 1790s, in AGN, Historia, vol. 437, exps. 3, 5-11, 1791-1798; and the refusal of viceregal authorities to grant licenses (to Indians) for the establishment of popular chapels in the villages of Huayacocotla and Atotonilco el Alto, in AGN, Clero Regular y Secular, vol. 22, exp. 14, fs. 240r-246v, 1791, and vol. 22, exp. 13, fs. 225r-238v, 1794, respectively. On the relationship of violent outbreaks in 1810 and after to local religious celebrations, see, for example, the case of the riot and murders of several European-born Spaniards by the Indian villagers of Atlacomulco in November, 1810, in AGN, Criminal, vol. 229, fs. 263r-413v, 1810, and vol. 231, exp. 1, fs. 1r-59r, 1811; and also the riot during *carnaval*, 1806, by the villagers of Amecameca, in AGN, Criminal, vol. 71, exp. 6, fs. 167r-241v, 1806-1810. Brading, in his essay in this volume, makes the same point on the substratum of Indian ideology as expressed in this paragraph. It should be noted in passing that a possible relationship exists between the occurrence of messianic/millenarian beliefs or movements among Indian populations and earlier missionary activity by the Franciscans, who, in the New World, harbored in their thoughts and teachings a definite strain of millennial expectation harking back to Joachim of Fiore in the twelfth century. Certainly, the two Indian pseudo-messiahs of Tepic and Durango originated in regions strongly influenced by Franciscan evangelization. At the same time, such beliefs among the Indians occurred elsewhere in New Spain, in areas missionized by the Dominicans and Augustinians, as Gruzinski demonstrates in his *Hommes-dieux de Mexique*. Brading suggests the Franciscan influence may have been important in encouraging millenarian belief among the Yucatec Maya, but leaves the question open for lack of data; see "Images and Prophets," p. 194. On early evangelization activity in New Spain, see Robert Ricard, *The Spiritual Conquest of Mexico. An Essay on the Apostolate and the Evangelizing Methods of the Mendicant Orders in New Spain, 1523-1572*, translated by Lesley Byrd Simpson (Berkeley, 1966), especially the map on pp. 62-63. For millenarian thought among the Franciscans, see Lafaye, *Quetzalcoatl and Guadalupe*, 28-34, and *passim*; and John L. Phelan, *The Millennial Kingdom of the Franciscans in the New World* (2nd. rev. ed., Berkeley, 1970).

25. Eric Hobsbawm, "Millenarianism II: Andalusian Anarchists," in his *Primitive Rebels*, 74-92; Carlo Ginzburg, *The Cheese and the Worms. The Cosmos of a Sixteenth-Century Miller* (Harmondsworth, 1982); E. P. Thompson, "The Moral Economy of the English Crowd in the Eighteenth Century," in *Past and Present*, 50 (1971), 76-136; and for a general discussion of the dialectic between popular and elite political thinking, see Rudé, *Ideology and Popular Protest*.

26. Specifically on the literacy question, see the interesting research on Russia of the *ancien régime* by Jeffrey Brooks, *When Russia Learned to Read. Literacy and Popular Literature, 1861-1917* (Princeton, 1985). Brooks cites a literacy rate among the rural population of 6 percent in the 1860s (p. 4), and it is difficult to imagine that literacy in Mexico a half-century earlier could have been more widespread.

27. For this basic view, which I have admittedly somewhat over-simplified here, see Theda Skocpol, *States and Social Revolutions* (Cambridge, 1979).

28. On the movement of real wages and popular living standards, see the works cited in note 15 above, especially Van Young, "The Rich Get Richer"; and for the role of demand-driven inflation, see Richard L. Garner, "Price Trends in Eighteenth-Century Mexico," in *Hispanic American Historical Review* (hereafter *HAHR*), 65 (1985), 279-325.

29. For an interesting and reasonably convincing effort at quantifying the generalized escalations of land conflict during the eighteenth century, see Arij Ouweneel and Catrien C. J. H. Bijleveld, "The Economic Cycle in Bourbon Central Mexico: A Critique of the *Recaudación del diezmo líquido en pesos*," in *HAHR*, 69 (1989), 479-530, esp. 504-505 and figure 6.
30. AGN, Criminal, vol. 157, exp. 3, fs. 93r-155v, 1799. Also on the relationship of church bell ringing to communal identity and solidarity, see the case of the village of Zapotlán el Grande, in the Lake Chapala area, in BPE, Civil, caja 143, exp. 5, ser. 1564, 1797.
31. On this point, see Van Young, "Millennium on the Northern Marches," and, "L'enigma dei re: messianismo e rivolta popolare in Messico, 1800-1815," in *Revista Storica Italiana*, 99 (1987), 754-786.
32. See Christon I. Archer, "Banditry and Revolution in New Spain, 1790-1821," in *Bibliotheca Americana*, 1 (1982), 58-59.
33. Such an interpretation is supported by the work of James Scott, *Weapons of the Weak. Everyday Forms of Peasant Resistance* (Princeton, 1985).
34. This process, which John Tutino refers to as 'agrarian compression', is traced in his book *From Insurrection to Revolution in Mexico*.
35. On the Yucatán, see Nelson Reed, *The Caste War of Yucatán* (Stanford, 1964); on Tomóchic, Paul J. Vanderwood, "Crisis Cult at Tomóchic, 1891-1892" (Paper, International Colloquium: The Indians of Mexico in Pre-Columbian and Modern Times, Leiden, 1981); and on the Cristero movement, Jean Meyer, *La Cristiada* (3 vols., Mexico City, 1973-1974).
36. Florencia Mallon, in her paper, "New Perspectives on the Periodization of Latin American History: Nineteenth-Century Peru and Mexico in Comparative Perspective" (Paper, American Historical Association, Annual Meeting, Washington, D.C., 1987), finds evidence for such nationalist sentiment on the part of peasants in mid-nineteenth-century Mexico; and John Hart, *Revolutionary Mexico. The Coming and Process of the Mexican Revolution* (Berkeley, 1987), casts his discussion of the Mexican Revolution substantially in such terms. Alan Knight, *The Mexican Revolution* (2 vols., Cambridge, 1986), criticizes such views of popular ideology sharply, and looks for the etiology of popular collective action in local circumstances and triggering mechanisms.
37. Knight, *Mexican Revolution*, I, 559, note 386.